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1983 ANNUAL REPORT
of the
DELAWARE JUDICIARY

COVER

Sussex County Courthouse as shown on the cover of the Return Day booklet of November 7, 1974.

1983 ANNUAL REPORT

of the

DELAWARE JUDICIARY

November 30, 1983

Prepared by the

ADMINISTRATIVE OFFICE OF THE COURTS

John R. Fisher
Director

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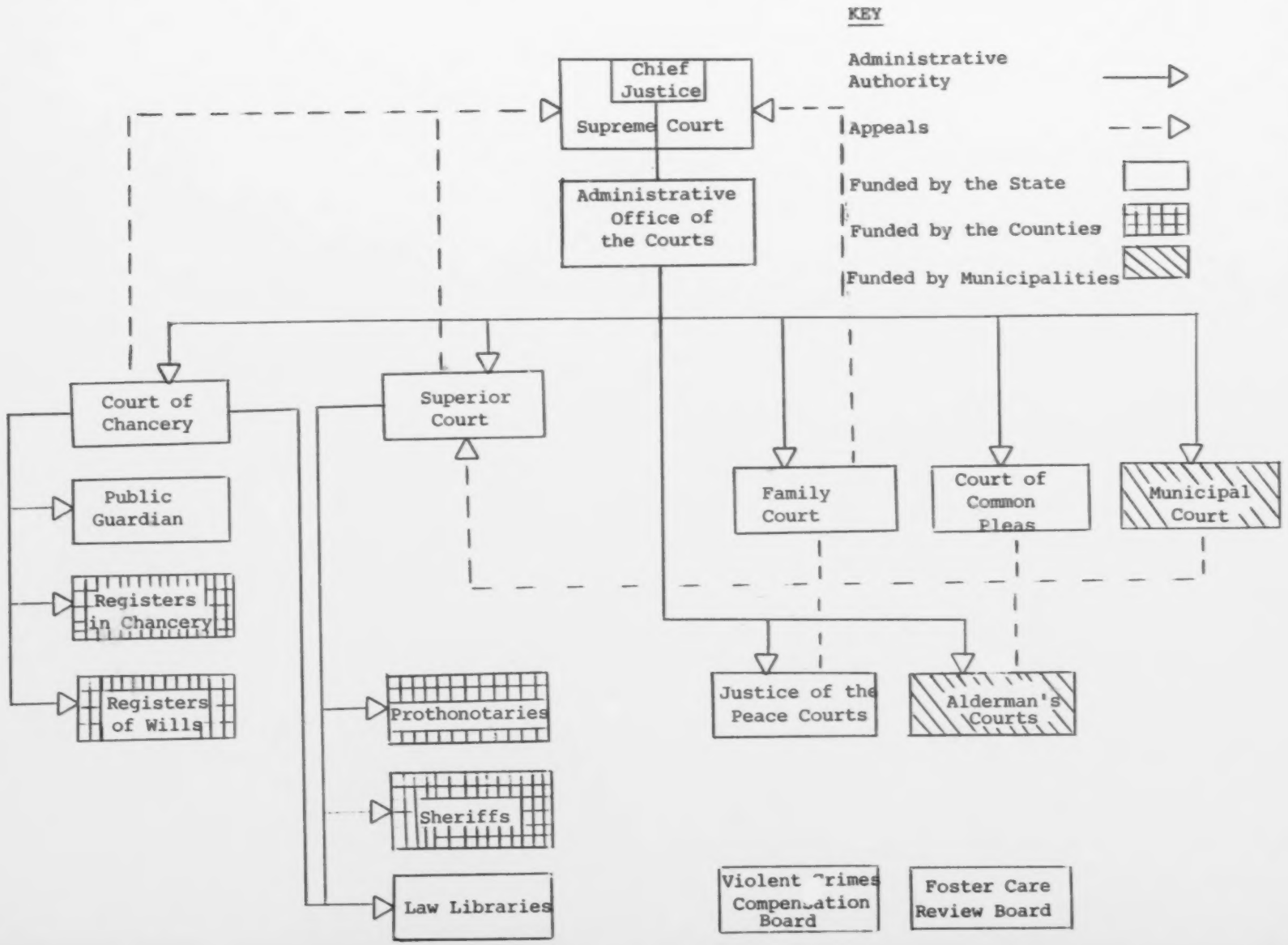
Introduction & Overview

THE DELAWARE JUDICIAL SYSTEM



SUMMARY OF JUDICIAL BUDGETS
FISCAL YEARS 1982-1983-1984-1985

	F.Y. 1982 Actual Disbursement	F.Y. 1983 Actual Disbursement	F.Y. 1984 Budget	F.Y. 1985 Request
STATE*				
Administrative Office of the Courts	$ 2,016,900	$ 2,238,400	$ 2,711,500	$ 4,550,600
Supreme Court	624,800	691,900	839,100	1,002,000
Court of Chancery	385,300	414,100	535,500	747,300
Public Guardian	65,400	90,000	106,800	106,900
Superior Court	2,406,300	2,508,200	3,128,600	4,246,400
Law Libraries	197,500	175,000	256,800	304,400
Family Court	4,156,700	5,575,500	5,786,500	6,151,600
Court of Common Pleas	1,053,600	1,145,000	1,447,000	2,147,100
Justice of the Peace Courts	3,037,500	3,270,300	4,077,700	4,858,100
Violent Crimes Compensation Board	402,300	423,800	438,800	551,400
Foster Care Review Board	77,500	94,000	113,600	124,900
STATE TOTALS	$14,423,800	$16,626,200	$19,441,900	$24,790,700
NEW CASTLE COUNTY				
Register in Chancery	$ 337,886	$ 339,168	$ 389,195	N.A.
Register of Wills	410,979	384,396	422,171	N.A.
Prothonotary	1,066,709	1,164,677	1,216,870	N.A.
Sheriff	719,388	799,732	851,850	N.A.
NEW CASTLE COUNTY TOTALS	$ 2,534,962	$ 2,687,973	$ 2,880,086	N.A.
KENT COUNTY				
Register in Chancery	$ 46,985	$ 50,525	$ 53,336	N.A.
Register of Wills	36,269	38,200	40,099	N.A.
Prothonotary	108,806	107,212	134,758	N.A.
Sheriff	75,209	75,536	80,990	N.A.
KENT COUNTY TOTALS	$ 267,269	$ 271,473	$ 309,183	N.A.

N.A. = Not Available
*Figures include State general funds, federal funds, and other funds.

SUMMARY OF JUDICIAL BUDGETS (CONTINUED)
FISCAL YEARS 1982-1983-1984-1985

	F.Y. 1982 Actual Disbursement	F.Y. 1983 Actual Disbursement	F.Y. 1984 Budget	F.Y. 1985 Request
SUSSEX COUNTY				
Register in Chancery	$ 34,923	$ 36,710	$ 38,656	N.A.
Register of Wills	34,548	36,475	37,956	N.A.
Prothonotary	66,503	69,528	74,796	N.A.
Sheriff	67,834	79,134	77,325	N.A.
SUSSEX COUNTY TOTALS	$ 203,808	$ 221,847	$ 228,733	N.A.
MUNICIPALITIES				
Municipal Court*	$ 700,505	$ 774,715	$ 775,503	$ N.A.
Alderman's Courts	N.A.	N.A.	N.A.	N.A.
MUNICIPALITIES TOTALS	N.A.	N.A.	N.A.	N.A.
GRAND TOTALS - JUDICIAL BRANCH**	$18,130,344	$20,582,208	$23,635,405	$24,790,700

N.A. = Not Available
*Figures include City of Wilmington funds and federal funds.
**Alderman's Courts not included in any totals. Totals for FY 1985 include only State totals.

COURT-GENERATED REVENUE*

FISCAL YEAR 1983

	Fees and Costs	Fines	Interest**	Miscellaneous#	TOTALS	Revenue as a % of Operating Budget##
SUBMITTED TO STATE GENERAL FUND						
Administrative Office of the Courts	$ 0	$ 0	$ 0	$ 900	$ 900	¶
Supreme Court	8,400	800	0	300	9,500	1.4%
Court of Chancery	0	0	382,500	14,800	397,300	95.9%
Public Guardian	0	0	0	1,100	1,100	1.2%
Superior Court	18,400	5,000	3,600	400	27,400	1.0%
Law Libraries	0	0	0	0	0	0.0%
Family Court	311,100	31,700	0	10,000	352,800	6.3%
Court of Common Pleas	85,500	168,600	0	8,800	262,900	22.9%
Justice of the Peace Courts	1,360,900	2,185,900	0	13,300	3,560,100	108.8%
Foster Care Review Board	0	0	0	0	0	0.0%
STATE GENERAL FUND TOTALS	$1,784,300	$2,392,000	$386,100	$49,600	$4,612,000	27.7%
SUBMITTED TO VICTIMS COMPENSATION FUND						
Superior Court	-	$ 28,525	-	-	$ 28,525	-
Family Court	-	2,186	-	-	2,186	-
Court of Common Pleas	-	26,557	-	-	26,557	-
Municipal Court	-	57,453	-	-	57,453	-
Justice of the Peace Courts	-	417,037	-	-	417,037	-
Alderman's Courts	-	76,774	-	-	76,774	-
Violent Crimes Compensation Board	-	0	-	-	0	143.6%¶¶
VICTIMS COMPENSATION FUND TOTALS	-	$ 608,532	-	-	$ 608,532	143.6%¶¶
SUBMITTED TO NEW CASTLE COUNTY						
Register in Chancery	$ 177,794	$ 0	$373,087	$ 0	$ 550,881	162.4%
Register of Wills	751,579	0	0	0	751,579	195.5%
Prothonotary	362,808	0	3,472	0	366,280	31.4%
Sheriff	177,913	0	0	0	177,913	22.2%
NEW CASTLE COUNTY TOTALS	$1,470,094	$ 0	$376,559	$ 0	$1,846,653	68.7%

*Figures represent only revenue actually collected, not the total amount of fines and costs actually assessed.

**Counties receive 50% of all Court of Chancery interest money and 25% of all Superior Court interest money.

#Bond forfeitures, transcript charges, fees for licenses of deadly weapons, duplicate dog licenses, copying machine revenue, and escheated funds.

##FY 1983 Revenue divided by FY 1983 Actual Disbursement, which includes State general, federal, and other funds.

¶Less than one-tenth of 1%.

¶¶All Victims Compensation Fund monies collected by other courts are submitted to the Violent Crimes Compensation Board.

COURT-GENERATED REVENUE (CONTINUED)*

	Fees and Costs	Fines	Interest**	Miscellaneous#	TOTALS	Revenue as a % of Operating Budget##
SUBMITTED TO KENT COUNTY						
Register in Chancery	$ 8,337	$ 0	$ 9,413	$ 0	$ 17,750	35.1%
Register of Wills	112,629	0	0	0	112,629	294.8%
Prothonotary	37,602	0	128	0	37,730	35.2%
Sheriff	8,573	0	0	0	8,573	11.3%
KENT COUNTY TOTALS	$ 167,141	$ 0	$ 9,541	$ 0	$ 176,682	65.1%
SUBMITTED TO SUSSEX COUNTY						
Register in Chancery	$ 17,656	$ 0	$ 0	$ 0	$ 17,656	48.1%
Register of Wills	258,586	0	0	0	258,586	708.9%
Prothonotary	37,422	7,786	0	0	45,208	65.0%
Sheriff	10,267	0	0	0	10,267	13.0%
SUSSEX COUNTY TOTALS	$ 323,931	$7,786	$ 0	$ 0	$ 331,717	149.5%
SUBMITTED TO MUNICIPALITIES						
Municipal Court	$ 127,365	$ 383,023	$ 0	$ 0	$ 510,388	65.9%
Justice of the Peace Courts	0	627,122	0	0	627,122	19.2%¶
Alderman's Courts	175,556	683,650	0	0	$ 859,206	N.A.
MUNICIPALITIES TOTALS	$ 302,921	$1,693,795	$ 0	$ 0	$1,996,716	N.A.
GRAND TOTALS - JUDICIAL BRANCH	$4,048,387	$4,702,113	$772,200	$49,600	$9,572,300	46.5%§

N.A. = Not Available

*Figures represent only revenue actually collected, not the total amount of fines and costs actually assessed.

**Counties receive 50% of all Court of Chancery interest money and 25% of all Superior Court interest money.

#Bond forfeitures, transcript charges, fees for licenses of deadly weapons, duplicate dog licenses, copying machine revenue, and escheated funds.

##FY 1983 Revenue divided by FY 1983 Actual Disbursement, which includes State general, federal, and other funds.

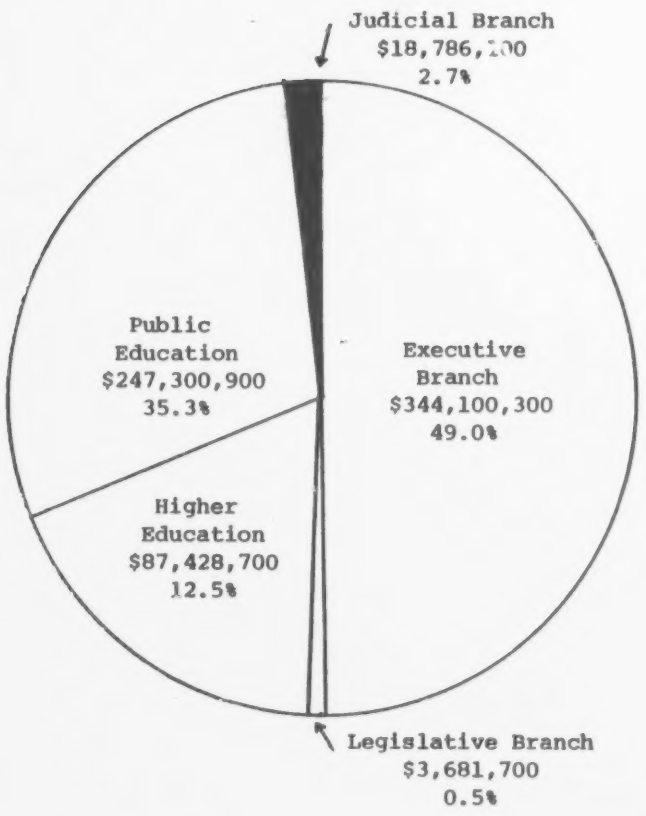
¶Total revenue generated by the Justice of the Peace Courts in FY 1983 was $4,187,222, which represents 128.0% of expenditures for that year.

§This figure is approximate as some expenditure data is not available.

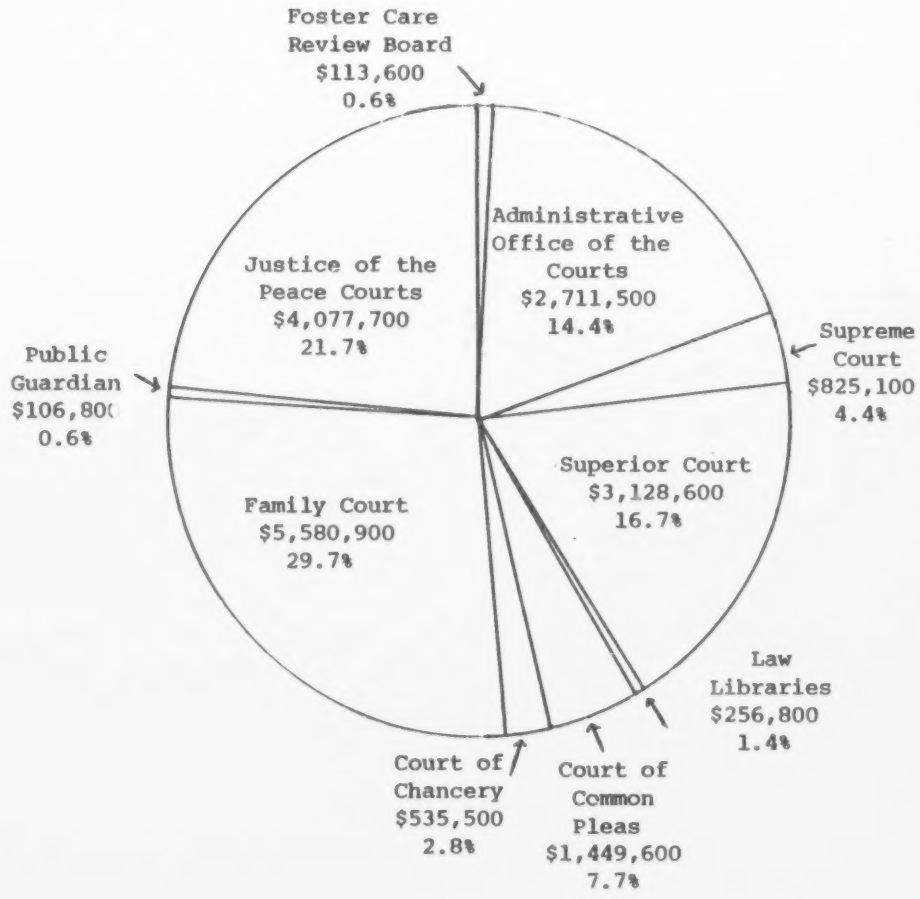
DELAWARE STATE GOVERNMENT APPROPRIATIONS*

FISCAL YEAR 1984

STATE APPROPRIATIONS - TOTAL
$701,297,700



STATE APPROPRIATIONS - JUDICIARY
$18,786,100**



*State general fund monies monly.
**Excludes $438,800 in special fund monies appropriated to the Violent Crimes Compensation Board.

Source: 132nd General Assembly, House Bill No. 250 as amended by House Bill 384

Administrative Office of the Courts

ADMINISTRATIVE OFFICE OF THE COURTS

Legal Authorization

The Administrative Office of the Courts was established by 10 Delaware Code, Chapter 1, during the 1971 General Assembly.

Duties

The Administrative Office of the Courts serves as the focal point for coordination and communications concerning all court administrative activities in the judicial system. The office prepares budgets for the Supreme Court, Court of Chancery, and the Foster Care Review Board, and assists in preparation of the budgets of the Public Guardian and the Law Libraries. It administers the payment of all jurors and witnesses. The AOC is largely responsible for the acquisition of space or facilities for the judicial system, and is responsible for the supervision of lease negotiations and the payment of all rentals. It has primary responsibility for the acquisition, supervision, and administration of federal funds received to assist the court system. It is also responsible for personnel administration for non-Merit Courts. The Administrative Office of the Courts has responsibility for the development and maintenance of the computerized judicial information system. Also, the AOC acts as the focal point between the court system and other government agencies on the local, state, and federal levels. The AOC will implement and manage the upcoming judicial personnel system. The Administrative Office of the Courts collects statistics from the various courts and produces the Annual Report of the Judiciary. The AOC also performs other duties as prescribed by the Chief Justice.

Personnel

The Director of the Administrative Office of the Courts is appointed by and serves at the pleasure of the Chief Justice of the Supreme Court of the State of Delaware.

The Director may, with the approval of the Chief Justice, appoint such assistants and clerical personnel as are required.

ADMINISTRATIVE OFFICE OF THE COURTS

Main Office
11th Floor
Elbert N. Carvel Delaware State Building
820 North French Street
Wilmington, DE 19801
(571-2480)

Data Processing Center
Mezzanine
Public Building
1020 King Street
Wilmington, DE 19801
(571-2344)

PERSONNEL

Director
John R. Fisher
Carolyn Walker, Secretary

Deputy Director
Lowell L. Groundland

Supervisor of Accounting
E. Dawn Bowman

Accounting Clerk
Georgia A. Roberts

Personnel Manager
Robert A. Homiler

Personnel Assistant
E. Lynn Deramo-Durr

Manager, Fiscal Services
James D. Brown

Research Assistant
Adam Golby

Data Processing Manager
James P. Boulanger

Lead Programmer/Analyst
Noreen O. Manning

Programmer/Analyst
Robert N. Perlier
Christine C. McLaughlin
Elizabeth G. Bachmurski

Computer Operators
Patricia A. Hall
Edward M. Stone

Secretary
Maria Cook

Secretary
Sharon McClure

Supreme Court

SUPREME COURT

Authorization

The Supreme Court is created by the Constitution of Delaware, Article IV, Section I. The Supreme Court has statewide jurisdiction and sits in Dover.

Jurisdiction

The Court has final appellate jurisdiction in criminal cases in which the sentence exceeds certain minimums and in civil cases as to final judgments and certain other orders of Superior Court, Court of Chancery, and Family Court. Appeals are heard on the record. The Supreme Court has jurisdiction to issue writs of prohibition, quo warranto, certiorari, and mandamus.

Justices

The Supreme Court consists of a Chief Justice and four Justices, who are appointed by the Governor with the consent of the Senate. The Justices are appointed for 12-year terms and must be learned in the law and citizens of the State. Three of the Justices must be of one of the major political parties while the other two Justices must be of the other major political party.

Administration

The Chief Justice is responsible for the administration of all courts in the State and appoints a Director of the Administrative Office of the Courts to manage the non-judicial aspects of court administration. The Supreme Court is staffed by a Clerk and Chief Deputy Clerk, law clerks, and secretaries.

Caseload Trend

The 413 cases filed in FY 1983 represented the first time in which over 400 cases were filed in a single fiscal year in the history of the Supreme Court. The increase of 24 cases from FY 1982 represented a rise of 6.2% for FY 1983. The 446 dispositions in FY 1983 was 23.5% greater than the FY 1982 total of 361 dispositions and represented the largest number of dispositions in a fiscal year by far for the Supreme Court. The immense number of dispositions led to a decrease in pending from 295 to 262 cases in FY 1983 despite the large number of filings. From filing to disposition, civil appeals were disposed of in an average of 214.8 days, criminal appeals in an average of 270.6 days, and other cases in an average of 125.8 days. For all cases combined the average time from filing to disposition was 232.4 days, a decrease of almost 64 days from the FY 1982 average of 296.2 days. The large number of dispositions, the drop in pending cases, and the decrease in elapsed time is due to a concerted effort by the Supreme Court to deal with cases promptly, thus reducing delays in delivery of lower court records and filings of briefs.

SUPREME COURT

JUDICIARY

NEW CASTLE COUNTY

Chief Justice

Hon. Daniel L. Herrmann (D, 8/9/85)
Sally McKendrick, Secretary
(571-2427)

Associate Justices

Hon. Andrew G.T. Moore, II (D, 5/24/94)
Kathleen Gray, Secretary
(571-3730)

Hon. Andrew D. Christie (R, 3/23/95)
Elaine M. Ryan, Secretary
(571-3700)

KENT COUNTY

Associate Justice

Hon. Henry R. Horsey (R, 10/30/90)
Audrey F. Bacino, Secretary
(736-4214)

SUSSEX COUNTY

Associate Justice

Hon. John J. McNeilly (R, 10/25/86)
Ida Mae Ellis, Secretary
(856-5363)

SUPREME COURT

SUPPORT PERSONNEL

NEW CASTLE COUNTY

Supreme Court Chambers
11th Floor
Elbert N. Carvel Delaware State Building
820 North French Street
Wilmington, DE 19801

Chief Deputy Clerk of the Supreme Court
Stephen D. Taylor
(571-3706)

Administrative Secretary
Lois D. Taylor
(571-2429)

Law Clerks
Karen L. Morris
(571-3799)
Daniel L. Fleming
(571-3737)
James Wells
(571-2594)

Receptionist
JoAnne Amoroso
(571-2425)

KENT COUNTY

Supreme Court Building
55 The Green
P.O. Box 476
Dover, DE 19903

Clerk of the Supreme Court
Loren C. Meyers
(736-4155)

Secretary
Cathy L. Howard

Bailiff
Vacant

Ann C. Stilson
(736-4214)

SUSSEX COUNTY

Supreme Court Chambers
208 Sussex County Courthouse
The Circle
Georgetown, DE 19947

James J. Holzinger
(856-5363)

SUPREME COURT

FISCAL YEAR 1983
WORKLOAD SUMMARY

	Pending 6/30/82	Filings	Dispositions	Pending 6/30/83	Change In Pending	% Change In Pending
Criminal Appeals	155	163	179	139	-16	- 10.3%
Civil Appeals	127	225	243	109	-18	- 13.4%
Certifications	4	10	13	1	- 3	- 75.0%
Original Applications	9	15	11	13	+ 4	+ 44.4%
TOTALS	295	413	446	262	-33	- 11.2%

COMPARISON - FISCAL YEARS 1982-1983
WORKLOAD

FILINGS

	1982	1983	Change	% Change
Criminal Appeals	163	163	0	0.0%
Civil Appeals	207	225	+18	+ 8.7%
Certifications	6	10	+ 4	+ 66.7%
Original Applications	12	15	+ 3	+ 25.0%
Bd. on Prof. Resp.	1	0	- 1	-100.0%
TOTALS	389	413	+24	+ 6.2%

DISPOSITIONS

	1982	1983	Change	% Change
Criminal Appeals	153	179	+26	+ 17.0%
Civil Appeals	190	243	+53	+ 27.9%
Certifications	4	13	+ 9	+225.0%
Original Applications	13	11	- 2	- 15.4%
Bd. on Prof. Resp.	1	0	- 1	-100.0%
TOTALS	361	346	+85	+ 23.5%

Bd. on Prof. Resp. = Board on Professional Responsibility

Source: Clerk and Chief Deputy Clerk of the Supreme Court

SUPREME COURT

FISCAL YEAR 1983
WORKLOAD BREAKDOWNS

FILINGS

	Court of Chancery		Superior Court		Family Court		Non-Court Originated		TOTALS	
Criminal Appeals	0	0.0%	163	100.0%	0	0.0%	0	0.0%	163	100.0%
Civil Appeals	39	17.3%	154	68.4%	32	14.2%	0	0.0%	225	100.0%
Certifications	0	0.0%	0	0.0%	0	0.0%	10	100.0%	10	100.0%
Original Applications	0	0.0%	0	0.0%	0	0.0%	15	100.0%	15	100.0%
TOTALS	39	9.4%	317	76.8%	32	7.7%	25	6.1%	413	100.0%

DISPOSITIONS

	Court of Chancery		Superior Court		Family Court		Non-Court Originated		TOTALS	
Criminal Appeals	0	0.0%	179	100.0%	0	0.0%	0	0.0%	179	100.0%
Civil Appeals	41	16.9%	156	64.2%	46	18.9%	0	0.0%	243	100.0%
Certifications	0	0.0%	0	0.0%	0	0.0%	13	100.0%	13	100.0%
Original Applications	0	0.0%	0	0.0%	0	0.0%	11	100.0%	11	100.0%
TOTALS	41	9.2%	335	75.1%	46	10.3%	24	5.4%	446	100.0%

CHANGE IN PENDING

	Court of Chancery	Superior Court	Family Court	Non-Court Originated	TOTALS
Criminal Appeals	0	-16	0	0	-16
Civil Appeals	-2	- 2	-14	0	-18
Certifications	0	0	0	-3	- 3
Original Applications	0	0	0	+4	+ 4
TOTALS	-2	-18	-14	+1	-33

Source: Clerk and Chief Deputy Clerk of the Supreme Court

SUPREME COURT

TOTAL NUMBER OF APPEALS FILED - 1950-1983

Fiscal Year	Number
1983	413
1982	389
1981	337
1980	333
1979	342
1978	363
1977	362
1976	341
1975	273
1974	255
1973	247
1972	250
1971	176
1970*	193
1969	180
1968	126
1967	123
1966#	104
1965#	115
1964#	105
1963#	97
1962#	89
1961#	68
1960#	63
1959#	79
1958#	63
1957#	49
1956#	56
1955#	21
1954#	33
1953#	32
1952#	35
1951#	26
1950#	13

*Beginning in 1970, cross-appeals were no longer counted separately.
#Calendar Year.

Source: Clerk and Chief Deputy Clerk of the Supreme Court

SUPREME COURT

FISCAL YEAR 1983
WORKLOAD
TYPES OF DISPOSITIONS

APPEALS DISPOSITIONS

	Affirmed	Affirmed In Part	Reversed	Reversed and Remanded	Remanded	Voluntary Dismissal	Court Dismissal	Leave to Appeal Denied	TOTALS
Criminal Appeals	122 68.2%	5 2.8%	2 1.1%	4 2.2%	2 1.1%	14 7.8%	30 16.8%	0 0.0%	179 100.0%
Civil Appeals	121 49.8%	11 4.5%	3 1.9%	18 7.4%	2 0.8%	44 18.1%	19 7.8%	25 10.3%	243 100.0%
TOTALS	243 57.6%	16 3.8%	5 1.5%	22 5.2%	4 0.9%	58 13.7%	49 11.6%	25 5.9%	422 100.0%

MISCELLANEOUS DISPOSITIONS

	Question Answered	Denied	Voluntary Dismissal	Court Dismissal	TOTALS
Certifications	6 46.2%	6 46.2%	1 7.7%	0 0.0%	13 100.0%
Original Applications	0 0.0%	4 36.4%	1 9.1%	6 54.5%	11 100.0%
TOTALS	6 25.0%	10 41.7%	2 8.3%	6 25.0%	24 100.0%

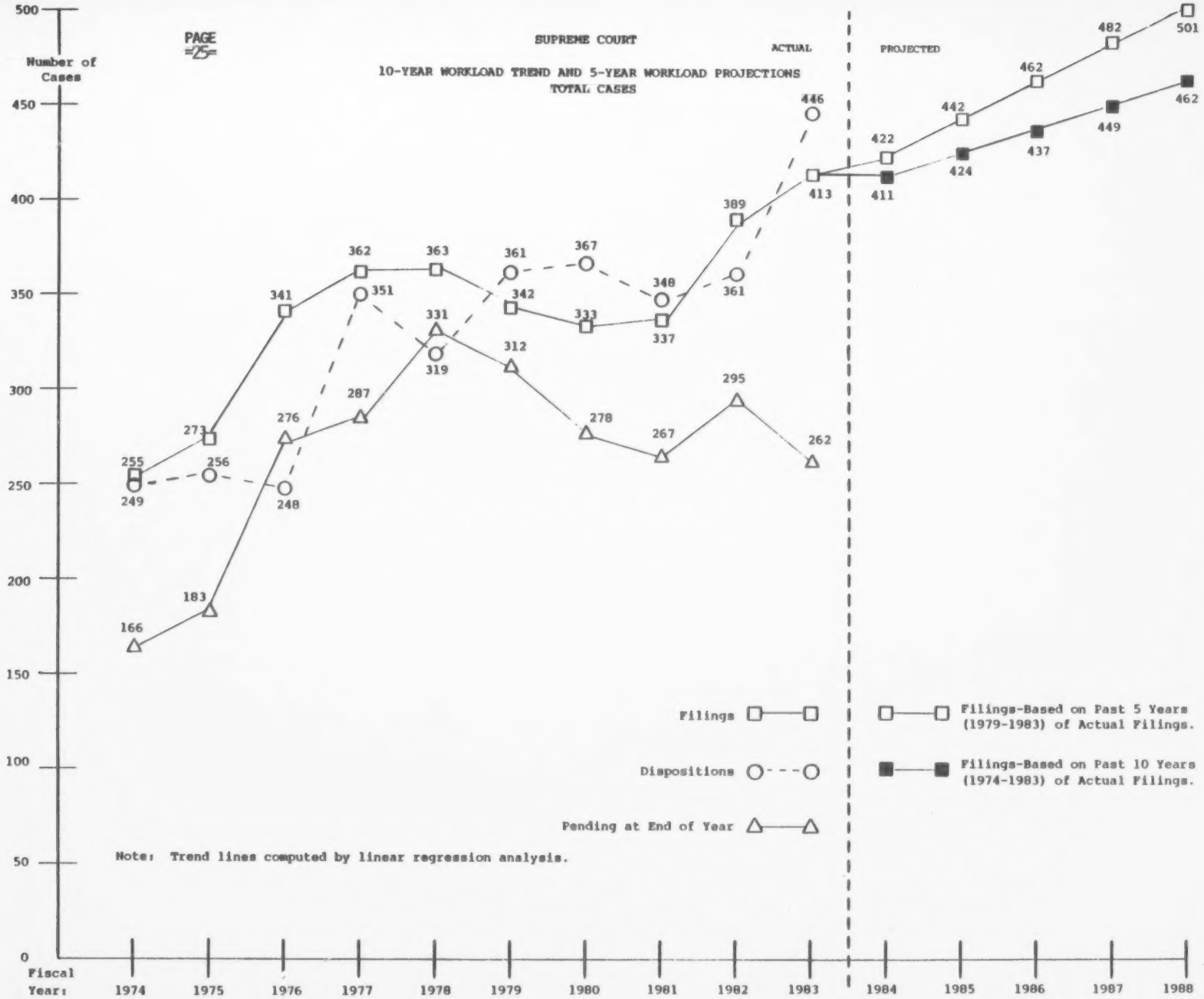
METHODS OF DISPOSITIONS

	Assigned Opinion	Per Curiam Opinion	Written Order	Voluntary Dismissal	TOTALS
Criminal Appeals	41 22.9%	10 5.6%	114 63.7%	14 7.8%	179 100.0%
Civil Appeals	61 25.1%	13 5.3%	125 51.4%	44 18.1%	243 100.0%
Certifications	6 46.2%	0 0.0%	6 46.2%	1 7.7%	13 100.0%
Original Applications	0 0.0%	1 9.1%	9 81.8%	1 9.1%	11 100.0%
TOTALS	108 24.2%	24 5.4%	254 57.0%	60 13.5%	446 100.0%

Source: Clerk and Chief Deputy Clerk of the Supreme Court

SUPREME COURT

10-YEAR WORKLOAD TREND AND 5-YEAR WORKLOAD PROJECTIONS
TOTAL CASES



Note: Trend lines computed by linear regression analysis.

Source: Administrative Office of the Courts

SUPREME COURT

FISCAL YEAR 1983
PERFORMANCE SUMMARY

	Number of Dispositions	Average Time from Filing to Disposition
Criminal Appeals	179	270.6 days
Civil Appeals	243	214.8
Certifications	13	142.2
Original Applications	11	106.5
TOTALS	446	232.4 days

COMPARISON - FISCAL YEARS 1982-1983
PERFORMANCE SUMMARY

AVERAGE TIME FROM FILING TO DISPOSITION

	1982	1983	Change	% Change
Criminal Appeals	380.6 days	270.6 days	-110.0 days	-28.9%
Civil Appeals	243.4	214.8	- 28.6	-11.8%
Certifications	169.8	142.2	- 27.6	-16.3%
Original Applications	116.5	106.5	- 10.0	- 8.6%
Censor Committee	219.0	-	-	-
TOTALS	296.2 days	232.4 days	- 63.8 days	-21.5%

Source: Clerk and Chief Deputy Clerk of the Supreme Court

SUPREME COURT

FISCAL YEAR 1983
PERFORMANCE BREAKDOWNS

ELAPSED TIME BY DISPOSITION TYPE

Type of Disposition	Number of Dispositions	Average Time from Filing to Disposition
Affirmed	243	271.6 days
Affirmed in Part	16	417.6
Reversed	5	351.0
Reversed and Remanded	22	366.4
Remanded	4	271.8
Voluntary Dismissal	60	173.1
Court Dismissal	55	120.9
Leave to Appeal Denied	25	39.1
Question Answered	6	171.3
Denied	10	45.2
TOTALS	446	232.4 days

ELAPSED TIME BY DISPOSITION METHOD

Method of Disposition	Number of Dispositions	Average Time from Filing to Disposition
Assigned Opinion	108	350.3 days
Per Curium Opinion	24	276.1
Written Order	254	194.9
Voluntary Dismissal	60	173.1
TOTALS	446	232.4 days

Source: Clerk and Chief Deputy Clerk of the Supreme Court

Court of Chancery

COURT OF CHANCERY

Legal Authorization

The Constitution of Delaware, Article IV, Section 1, authorizes the Court of Chancery.

Geographic Organization

The Court of Chancery holds court in Wilmington, Dover, and Georgetown; that is, at one location in each county in the county seat.

Legal Jurisdiction

The Court of Chancery has jurisdiction to hear and determine all matters and causes in equity. The general equity jurisdiction of the Court is measured in terms of the general equity jurisdiction of the High Court of Chancery of Great Britain as it existed prior to the separation of the American Colonies. The General Assembly may confer upon the Court of Chancery additional statutory jurisdiction. In today's practice, the litigation in the Court of Chancery consists largely of corporate matters, trusts, estates, and other fiduciary matters, disputes involving the purchase and sale of land, and the clearing of clouds on title, as well as commercial and contractual matters in general. When issues of fact to be tried by jury arise, the Court of Chancery may order such facts to trial by issues in Superior Court.

Judges

One Chancellor and two Vice-Chancellors hold the Court of Chancery. The Chancellor and Vice-Chancellors are appointed by the Governor with the consent of the majority of the Senate's elected members for 12 year terms. The Chancellor and Vice-Chancellors must be learned in the law and must be Delaware citizens.

Support Personnel

The Chancellor may appoint court reporters, bailiffs, criers or pages, and law clerks. The judges may appoint one Chief Deputy Register in Chancery in each county.

The Register of Wills acts as a Clerk of the Court of Chancery for probate matters. The majority of the Register's former judicial and quasi-judicial powers are now held by the Court of Chancery. A Register of Wills is elected in each county for that county. The Chancellor names a Chief Deputy Register of Wills for each county.

Public Guardian

The Chancellor has the duty to appoint the Public Guardian. The Public Guardian serves, when appointed by the Court, as the guardian of the person or property of the aged, the mentally infirm, and the physically incapacitated. Under the law, the Public Guardian is intended to be the guardian of last resort.

Caseload Trend

Filings dropped by 41 cases from 544 cases in FY 1982 to 503 cases in FY 1983, a decrease of 7.5%, as filings in New Castle County alone dropped by 46 cases. Dispositions for the State increased by 16.7% from 468 in FY 1982 to 546 in FY 1983 due to a rise in dispositions for all counties during FY 1983. Pending fell by 5.1% from 836 at the end of FY 1982 to 793 at the end of FY 1983, the first annual decrease in civil cases pending since FY 1978.

Miscellaneous matters filed in the Court of Chancery rose slightly from 539 in FY 1982 to 554 in FY 1983, a 2.8% increase. Dispositions fell from 488 in FY 1982 to 457 in FY 1983, a 6.4% drop. The net result was that at the end of FY 1983 there were 4,678 miscellaneous matters pending as compared with 4,581 pending at the end of FY 1982, a 2.1% increase. The number of estates filed dropped by 4.2% from 1,843 in FY 1982 to 1,765 in FY 1983. Dispositions fell as well, falling by 10.2% from 1,998 to 1,795 in FY 1983 as all counties showed a decrease in the number of estates disposed of in FY 1983. There was a 1.3% decrease in pending at the end of the year from 2,342 at the end of FY 1982 to 2,312 at the end of FY 1983.

COURT OF CHANCERY

JUDICIARY

Chancellor

Hon. Grover C. Brown (R, 5/13/94)
Mary Lou Wilcoxson, Secretary
(856-5338, 571-2442)

Vice-Chancellors

Hon. Maurice A. Hartnett, III (D, 9/29/88)
Shirley D. Wood, Secretary
Joyce D. Stockslager, Secretary
(736-4397, 571-2441)

Hon. Joseph J. Longobardi (R, 5/13/94)
Anne Marie Brown, Secretary
(571-2443)

SUPPORT PERSONNEL

NEW CASTLE COUNTY

Court of Chancery
134 Public Building
1020 North King Street
Wilmington, Delaware 19801

Court Reporters
Henry D. Skogmo, Chief
(571-2447)
Lorraine B. Marino
(571-2448)

Judicial Secretary - Receptionist
Vickie L. Lally
(571-2440)

Law Clerks
Kevin T. Peck
(571-2348)
Julie M. Sebring
(571-2444)

KENT COUNTY

Court of Chancery
48 The Green
Dover, Delaware 19901

SUSSEX COUNTY

Court of Chancery
Sussex County Courthouse
The Circle
Georgetown, Delaware 19947

REGISTERS IN CHANCERY

NEW CASTLE COUNTY

Register in Chancery
Mezzanine-Public Building
1020 King Street
Wilmington, Delaware 19801
(571-7540)

Registers in Chancery
John D. Kelly, III

Chief Deputies
Jane L. Koke
Milton Roger Holmes

Deputies
Patricia G. Randolph
Eleanor M. Riley

KENT COUNTY

Register in Chancery
Kent County Courthouse
38 The Green
Dover, Delaware 19901
(736-2242; 736-2243)

Stanley Wayne Anthony

Loretta Wootten

Lydia M. McClary

SUSSEX COUNTY

Register in Chancery
Sussex County Courthouse
The Circle
Georgetown, Delaware 19947
(856-7701, X250)

Harvey F. Donovan, Sr.

Bonnie E. Gregory

Shirley S. Sommers

COURT OF CHANCERY

REGISTERS OF WILLS

NEW CASTLE COUNTY	KENT COUNTY	SUSSEX COUNTY
Register of Wills Mezzanine-Public Building 1020 North King Street Wilmington, Delaware 19801 (571-7545)	Register of Wills Kent County Courthouse 38 The Green Dover, Delaware 19901 (736-2233)	Register of Wills Sussex County Courthouse The Circle Georgetown, Delaware 19947 (856-7701, X205)
<u>Registers of Wills</u> Rita Justice Diane Cole, Secretary	Sandra W. Dean	Wilson O. McCabe, Jr.
<u>Chief Deputies</u> Patricia A. Oleskay Grover C. Luttrell, Jr.	Betty A. Strobel	Isabelle P. Morris
<u>Deputies</u> Lillian Kleveland Adelaide Giacoma	Francine Gilbert	Marie A. Scott
<u>Office Attorney</u> Stephen W. Spence		

COURT OF CHANCERY

FISCAL YEAR 1983
CIVIL CASES
WORKLOAD SUMMARY

	Pending 6/30/82	Filings	Dispositions	Pending 6/30/83	Change In Pending	% Change In Pending
New Castle	617	401	429	589	-28	- 4.5%
Kent	98*	44	51	91	- 7	- 7.1%
Sussex	121*	58	66	113	- 8	- 6.6%
State	836*	503	546	793	-43	- 5.1%

COMPARISON - FISCAL YEARS 1982-1983
CIVIL CASES
WORKLOAD

FILINGS

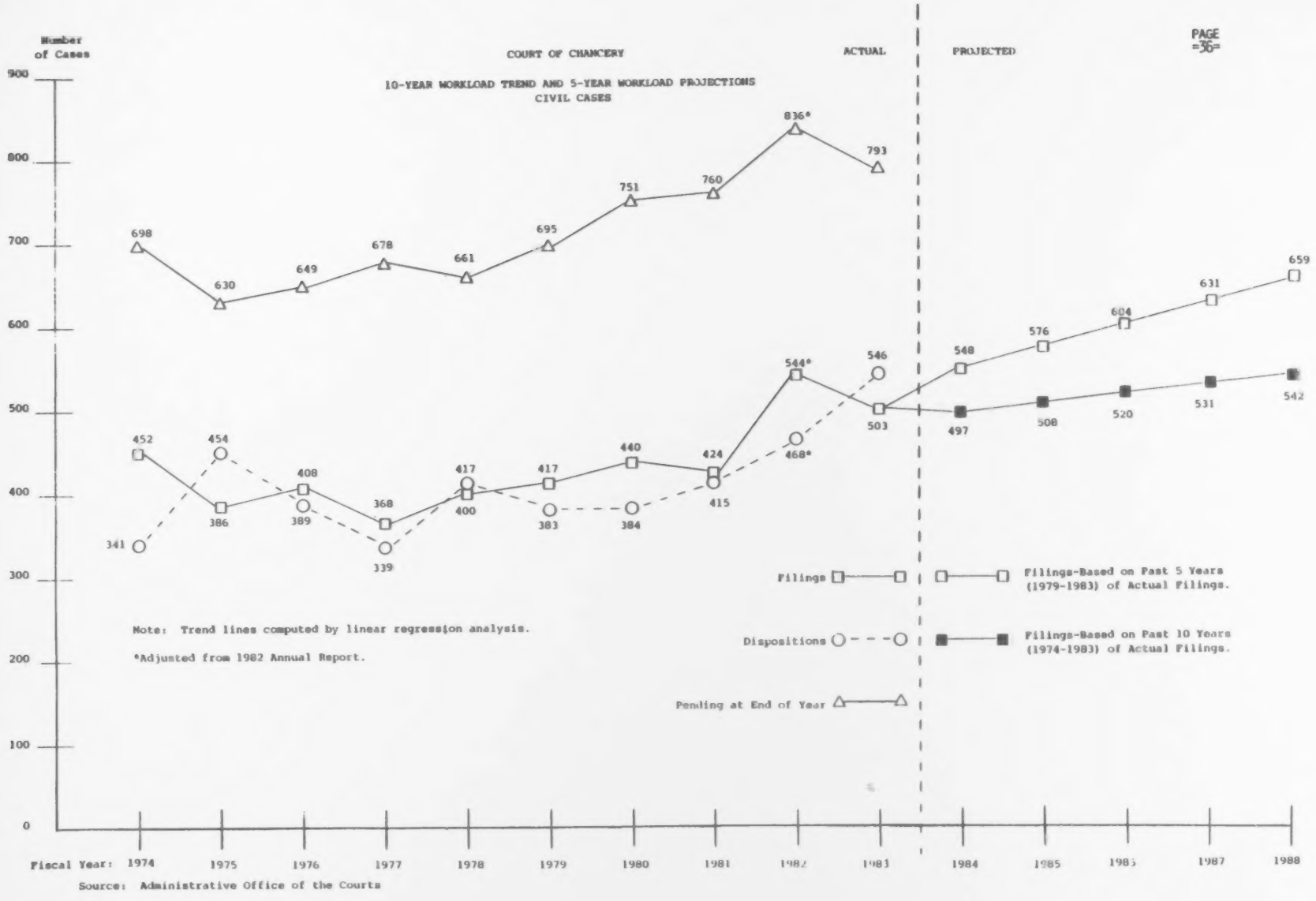
	1982	1983	Change	% Change
New Castle	447	401	- 46	-10.3%
Kent	35	44	+ 9	+25.7%
Sussex	62*	58	- 4	- 6.5%
State	544*	503	- 41	- 7.5%

DISPOSITIONS

	1982	1983	Change	% Change
New Castle	373	429	+ 56	+15.0%
Kent	34*	51	+ 17	+50.0%
Sussex	61	66	+ 5	+ 8.2%
State	468*	546	+ 78	+16.7%

*Adjusted from 1982 Annual Report

Source: New Castle County, Kent County, and Sussex County Registers in Chancery



Source: Administrative Office of the Courts

COURT OF CHANCERY

FISCAL YEAR 1983
MISCELLANEOUS MATTERS
WORKLOAD SUMMARY

	Pending 6/30/82	Filings	Dispositions	Pending 6/30/83	Change	% Change In Pending
New Castle	3,019	271	299	2,991	-28	-0.9%
Kent	548*	77	27	598	+50	+9.1%
Sussex	1,014	206	131	1,089	+75	+7.4%
State	4,581*	554	457	4,678	+97	+2.1%

COMPARISON - FISCAL YEARS 1982-1983
MISCELLANEOUS MATTERS

FILINGS

	1982	1983	Change	% Change
New Castle	269	271	+ 2	+ 0.7%
Kent	82*	77	- 5	- 6.1%
Sussex	188	206	+18	+ 9.6%
State	539*	554	+15	+ 2.8%

DISPOSITIONS

	1982	1983	Change	% Change
New Castle	307	299	- 8	- 2.6%
Kent	47*	27	-20	-42.6%
Sussex	134	131	- 3	- 2.2%
State	488*	457	-31	- 6.4%

*Adjusted from 1982 Annual Report

Source: New Castle County, Kent County, and Sussex County Registers in Chancery

COURT OF CHANCERY

FISCAL YEAR 1983
MISCELLANEOUS MATTERS
WORKLOAD BREAKDOWNS

FILINGS

	Guardians for Minors	Guardians for Infirm	Trustees for Mentally Ill	Trusts	Other Matters	TOTALS
New Castle	84 31.0%	98 36.2%	5 1.8%	64 23.6%	20 7.4%	271 100.0%
Kent	23 29.9%	35 45.4%	2 2.6%	10 13.0%	7 9.1%	77 100.0%
Sussex	15 7.3%	31 15.0%	0 0.0%	91 44.2%	69 33.5%	206 100.0%
State	122 22.0%	164 29.6%	7 1.3%	165 29.8%	96 17.3%	554 100.0%

DISPOSITIONS

	Guardians for Minors	Guardians for Infirm	Trustees for Mentally Ill	Trusts	Other Matters	TOTALS
New Castle	99 33.1%	83 27.8%	7 2.3%	103 34.4%	7 2.3%	299 100.0%
Kent	9 33.3%	7 25.9%	0 0.0%	2 7.4%	9 33.3%	27 100.0%
Sussex	8 6.1%	26 19.8%	0 0.0%	34 26.0%	63 48.1%	131 100.0%
State	116 25.4%	116 25.4%	7 1.5%	139 30.4%	79 17.3%	457 100.0%

PENDING AT END OF YEAR

	Guardians for Minors	Guardians for Infirm	Trustees for Mentally Ill	Trusts	Other Matters	TOTALS
New Castle	407 13.6%	753 25.2%	153 5.1%	1,334 44.6%	344 11.5%	2,991 100.0%
Kent	257 43.0%	177 29.6%	15 2.5%	135 22.6%	14 2.3%	598 100.0%
Sussex	305 28.0%	105 9.6%	16 1.5%	641 58.9%	22 2.0%	1,089 100.0%
State	969 20.7%	1,035 22.1%	184 3.9%	2,110 45.1%	380 8.1%	4,678 100.0%

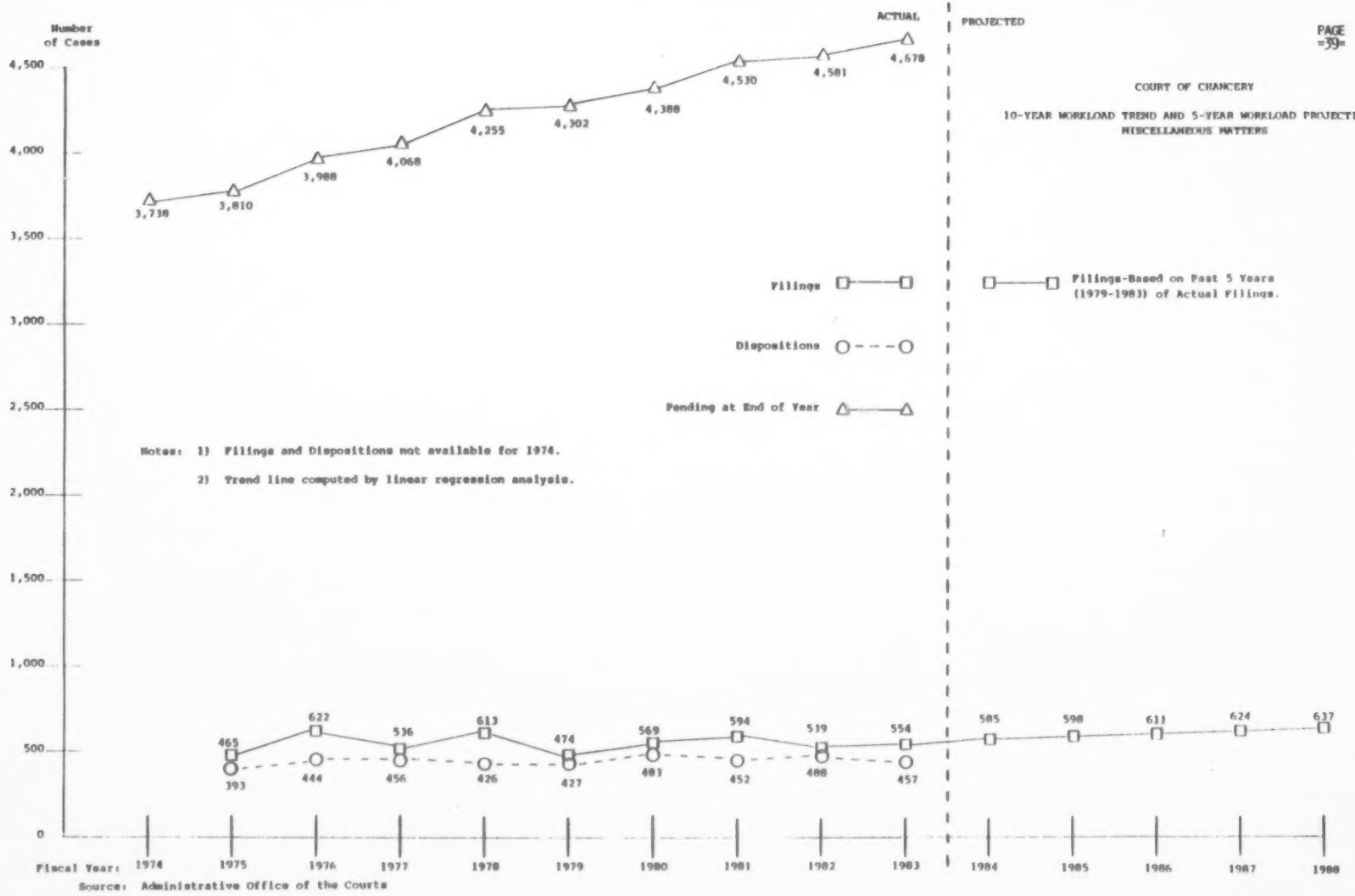
CHANGE IN PENDING

	Guardians for Minors	Guardians for Infirm	Trustees for Mentally Ill	Trusts	Other Matters	TOTALS
New Castle	- 15	+ 15	- 2	- 39	+ 13	-28
Kent	+ 14	+ 28	+ 2	+ 8	- 2	+50
Sussex	+ 7	+ 5	0	+ 57	+ 6	+75
State	+ 6	+ 48	0	+ 26	+ 17	+97

Source: New Castle County, Kent County, and Sussex County Registers in Chancery

COURT OF CHANCERY

10-YEAR WORKLOAD TREND AND 5-YEAR WORKLOAD PROJECTIONS
MISCELLANEOUS MATTERS



Source: Administrative Office of the Courts

COURT OF CHANCERY

FISCAL YEAR 1983
ESTATES
WORKLOAD SUMMARY

	Pending 6/30/82	Estates Opened	Estates Closed	Pending 6/30/83	Change In Pending	% Change In Pending
New Castle	1,000	1,102	1,168	934	- 66	- 6.6%
Kent	806	266	216	856	+ 50	+ 6.2%
Sussex	536	397	411	522	- 14	- 2.6%
State	2,342	1,765	1,795	2,312	- 30	- 1.3%

COMPARISON - FISCAL YEARS 1982-1983
ESTATES
WORKLOAD

Estates Opened

	1982	1983	Change	% Change
New Castle	1,129	1,102	- 27	- 2.4%
Kent	267	266	- 1	- 0.4%
Sussex	447	397	- 50	-11.2%
State	1,843	1,765	- 78	- 4.2%

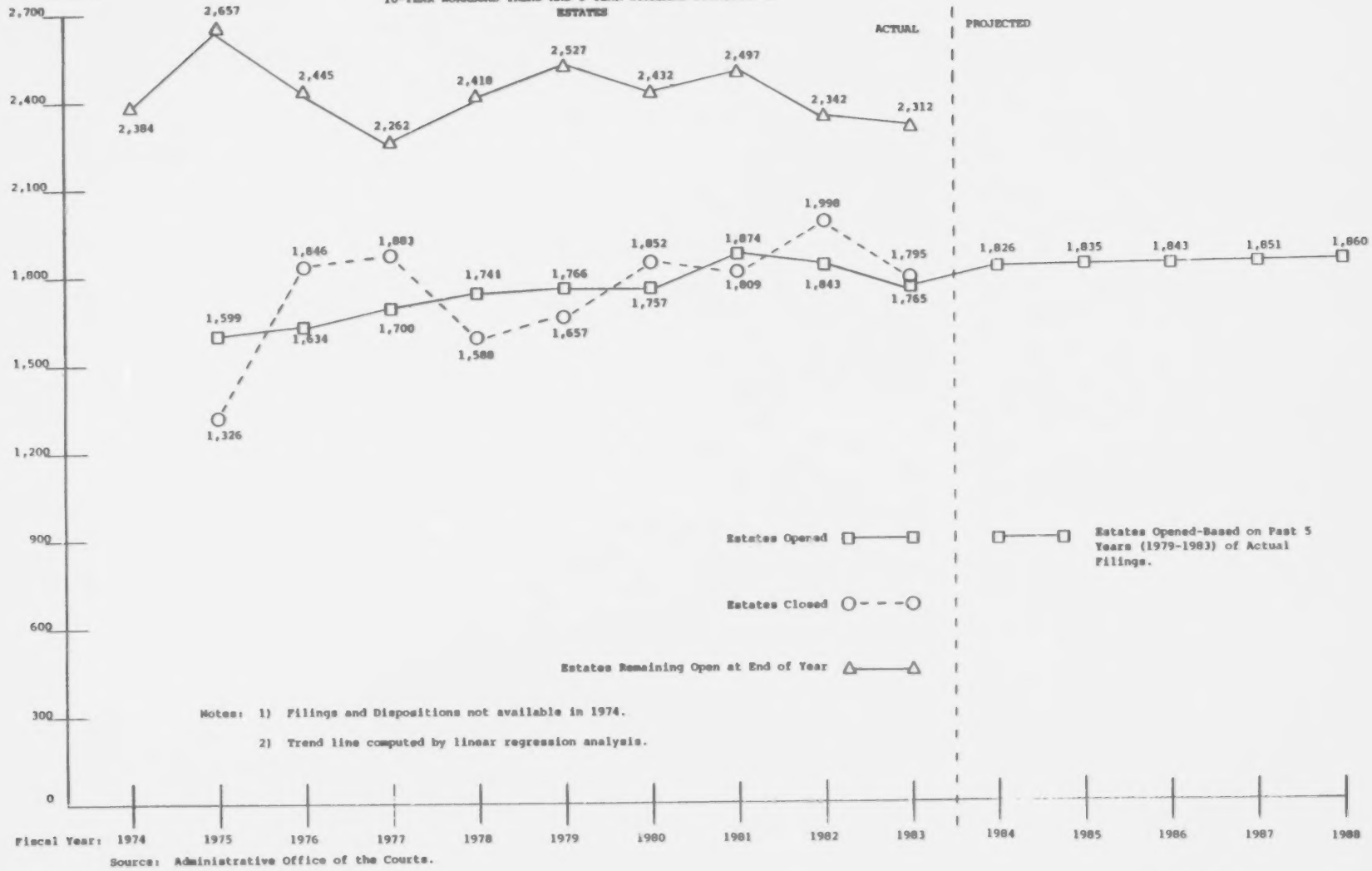
Estates Closed

	1982	1983	Change	% Change
New Castle	1,270	1,168	-102	- 8.0%
Kent	288	216	- 72	-25.0%
Sussex	440	411	- 29	- 6.6%
State	1,998	1,795	-203	-10.2%

Source: New Castle County, Kent County, and Sussex County Registers of Wills

COURT OF CHANCERY

10-YEAR WORKLOAD TREND AND 5-YEAR WORKLOAD PROJECTIONS
ESTATES



Source: Administrative Office of the Courts.

Public Guardian

PUBLIC GUARDIAN

Legal Authorization

The authority for the Office of the Public Guardian is derived from Title 12, § 3991, of the Delaware Code, which states that:

"There is established the Office of the Public Guardian. The Chancellor shall appoint the Public Guardian, who shall serve at his pleasure ..."

Geographic Organization

The Office of the Public Guardian has responsibility for the entire State and presents its petitions for guardianships in the Court of Chancery in all three counties.

Legal Jurisdiction

The powers and duties of the Public Guardian are stated in Title 12, §3992, of the Delaware Code:

"The Public Guardian, when appointed as guardian by Court order, shall:

1. Serve as a guardian for the property of aged, mentally infirm or physically incapacitated persons, pursuant to §3914 of this Title;

2. Serve as a guardian for the person of aged, mentally or physically incapacitated persons where such persons are in danger of substantially endangering their health, or of becoming subject to abuse by other persons, or of becoming the victim of designing persons; or

3. Serve as both guardian of the person and of property of such person."

The legislation creating the Office of the Public Guardian creates a guardianship capability for a person needing a guardian but who does not have a relative, friend, or other person interested in or capable of serving as a guardian, whose estate is insufficient to purchase the services of a private guardian, or who would best be served by a neutral guardian. This has resulted in the Office of the Public Guardian serving as consultant to agencies, attorneys, or families about guardianship matters.

Personnel

The Public Guardian is aided by a staff assistant, one full-time and one part-time caseworker, and a part-time accounting clerk.

Caseload

The Office of the Public Guardian received 131 referrals during FY 1983 of which 7 were determined to need the services of the Public Guardian as a guardian and petitions were presented in the appropriate counties in these cases. The Public Guardian was responsible for 44 wards as of June 30, 1983.

The remaining 124 referrals were determined not to need guardianship to resolve their problems and were served by utilizing the resources of other state and private agencies to aid the client, involving the family of the client, helping the client take some voluntary action on his own behalf, or offering counseling to help the client solve his own problems.

31 Delaware Code, §3908, deals with the establishment of adult protective services and gives the Public Guardian the right to petition the Court of Chancery for an order which would permit the implementation of protective services on an emergency basis. While this clearly adds to the responsibilities of the Office of the Public Guardian, it is not yet clear how much of an impact it will have on the workload for the Office of the Public Guardian.

PUBLIC GUARDIAN

New Castle County
11th Floor
Elbert N. Carvel Delaware State Building
820 North French Street
Wilmington, DE 19801
(571-2990)

Kent/Sussex County
Milford State Service Center
11/13 Church Avenue
Milford, DE 19963
(736-5631, 736-5632)

PERSONNEL

Public Guardian
Barbara F. Blevins

Staff Assistant
Barbara A. Walker

Caseworker
Patricia E. Gesler

Caseworker (Part-time)
Karen E. Bounds

Accounting Clerk (Part-time)
Marilyn Bergeron-Huard

PUBLIC GUARDIAN

FISCAL YEAR 1983
WORKLOAD SUMMARY

	Pending 6/30/82	New Referrals	Cases Closed	Pending 6/30/83	Change In Pending	% Change In Pending
Guardianships	44	7	7	44	0	0.0%
Investigations	3	124	123	4	+ 1	+33.3%
TOTALS	47	131	130	48	+ 1	+ 2.1%

COMPARISON - FISCAL YEARS 1982-1983
WORKLOAD

New Referrals

	1982	1983	Change	% Change
Guardianships	9	7	- 2	- 22.2%
Investigations	106	124	+18	+ 17.0%
TOTALS	115	131	+16	+ 13.9%

Cases Closed

	1982	1983	Change	% Change
Guardianships	13	7	- 6	- 46.2%
Investigations	112	123	+11	+ 9.8%
TOTALS	125	130	+ 5	+ 4.0%

Source: Office of the Public Guardian

Superior Court

Legal Authorization

The Constitution of Delaware, Article IV, Section 1, created the Superior Court.

Geographic Organization

Sessions of Superior Court are held in each of the three counties at the county seat.

Legal Jurisdiction

Superior Court has statewide original jurisdiction over criminal and civil cases, except equity cases, over which the Court of Chancery has exclusive jurisdiction. The Court's authority to award damages is open ended, i.e., its awards in cases of personal injury, libel and slander, and contract plans are unlimited. The Court also tries cases involving medical malpractice, legal malpractice, property cases involving mortgage foreclosures, mechanics liens, condemnations, and appeals related to landlord-tenant disputes and appeals from the Automobile Arbitration Board. The Court has exclusive jurisdiction over felonies and drug offenses (except most felonies and drug offenses involving minors and except possession of marijuana cases).

Superior Court has jurisdiction over involuntary commitments of the mentally ill to the Delaware State Hospital. The Court serves as an intermediate appeallate court, hearing appeals on the record from the Court of Common Pleas, Family Court, administrative agencies such as the Industrial Accident Board, Unemployment Insurance Appeal Board, Alcohol Beverage Control Commission, Tax Appeal Board, Zoning and Adjustment Boards, and other quasi-judicial bodies. Appeals from Alderman's Courts, Justice of the Peace Courts, and Municipal Court are heard on trials de novo (second trials) in Superior Court. Appeals from Superior Court are argued on the record before the Supreme Court.

Judges

Number: There are eleven judges appointed to the Superior Court bench; one is appointed President Judge with administrative responsibility for the Court, and three are appointed as Resident Judges and must reside in the county in which they are appointed. No more than a bare majority of the judges may be of one political party; the rest must be of the other major political party.

Appointment: The Governor appoints Superior Court Judges with the consent of the Senate.

Tenure: The judges are appointed for 12-year terms.

Qualifications: The judges must be learned in the law.

Support Personnel

Superior Court may appoint court reporters, law clerks, bailiffs, presentence officers, a secretary for each judge, and other personnel.

An elected Prothonotary for each county serves as Clerk of the Superior Court for that county. The Prothonotary is the record keeper for the Superior Court and is directly involved with the daily operations of the Court. The office handles the jury list, property liens, registration of law students and attorneys, and is the custodian of costs and fees for the courts and for the Attorney General. It issues permits to carry deadly weapons, receives bail, deals with the release of incarcerated prisoners, issues certificates of notary public where applicable, issues certificates of election to elected officials, issues commitments to the State Hospital and collects and distributes restitution monies as ordered by the counties in addition to numerous other duties. It is also charged with the security, care and custody of Courts' exhibits.

Elected sheriffs, one per county, also serve Superior Court.

Caseload Trend

The number of criminal cases filed in Superior Court fell by 1.0% from 3,697 in FY 1982 to 3,661 in FY 1983. The number of criminal dispositions rose for the third consecutive year, increasing by 340 from 3,544 in FY 1982 to 3,884 in FY 1983 which was a 9.6% increase. The combination of reduced criminal filings and increased criminal dispositions led to a drop of 13.9% in criminal pending, the first such decrease since FY 1979. The compliance with the Chief Justice's Speedy Trial Directive, which sets a standard of 120 days from date of arrest to date of disposition, fell slightly to 74.7% in FY 1983 from 77.3% in FY 1982 as the Court disposed of many more cases during FY 1983 than in FY 1982.

The Superior Court had 4,013 civil filings in FY 1983, a slight increase over the 3,956 civil filings in FY 1982. Civil dispositions fell slightly during FY 1983 to 3,713 from the 3,724 civil dispositions in FY 1982, and the result was an increase of 6.5% in civil pending from 4,614 at the end of FY 1982 to 4,914 at the end of FY 1983.

A review of the total caseload for the Superior Court reveals that the number of filings actually fell slightly from 7,727 filings in FY 1982 to 7,674 filings in FY 1983. The total number of dispositions rose to 7,597 during FY 1983, which was the highest total since 1976 and a 4.5% increase from the 7,268 dispositions in FY 1982. Nevertheless, the pending at the end of the year rose from 6,219 to 6,296 during FY 1983; the total number of pending cases has increased for each of the past three years.

SUPERIOR COURT

JUDICIARY

NEW CASTLE COUNTY

President Judge
Hon. Albert J. Stiftel (D, 8/8/90)
Ann Lafferty, Secretary
(571-2355)

Resident Judge
Hon. Joshua W. Martin (R, 6/9/95)
Ann Wallace, Secretary
(571-2544)

Associate Judges
Hon. Clarence W. Taylor (R, 7/1/84)
Carol Edwards, Secretary
(571-2374)
Hon. Joseph T. Walsh (D, 7/1/84)
Linda Flohr, Secretary
(571-2369)
Hon. Bernard Balick (D, 9/18/85)
Ivone Marvel, Secretary
(571-2367)
Hon. Robert C. O'Hara (R, 3/23/90)
Doris Myers, Secretary
(571-2370)
Hon. Vincent A. Bifferato (D, 8/5/92)
Betty Gilson, Secretary
(571-2361)
Hon. Vincent J. Poppiti (D, 6/9/95)
Mary Jane DeMatteis, Secretary
(571-2358)

KENT COUNTY

Resident Judge
Hon. George R. Wright (R, 7/1/84)
Janet L. Case, Secretary
(736-5331)

Associate Judge
Hon. William G. Bush, III (D, 9/12/84)
Eileen Masino, Secretary
(736-5333)

SUSSEX COUNTY

Resident Judge
Hon. Claud L. Tease (R, 10/25/86)
Mary Ellen Greenley, Secretary
(856-5256)

SUPERIOR COURT

SUPPORT PERSONNEL

NEW CASTLE COUNTY	KENT COUNTY	SUSSEX COUNTY
Superior Court Public Building 1020 North King Street Wilmington, DE 19801	Superior Court Kent County Courthouse 38 The Green Dover, DE 19901	Superior Court Sussex County Courthouse The Circle Georgetown, DE 19947
Administrator Thomas J. Ralston S. Maureen Golden, Secretary (571-2380)		
Staff Assistant Doris E. Harris (571-2380)		
Accountant Michael E. Indellini (571-2376)		
Case Scheduling Office Phyllis Laffey, Chief (571-2414)	Joyce C. DuBour (736-5353)	Lisa D. Isaacs (856-5525)
Law Clerks Maureen Blanding Kevin Howard Lisa Townsend Christopher Wolfe	Rosemary Betts	Tempe Steen
Jury Commissioners John N. Russo Delores G. Tatman	Wallace F. McFaul, Jr. John R. McDonald	Ralton H. Dennis Milan F. West

SUPPORT PERSONNEL (CONTINUED)

NEW CASTLE COUNTY	KENT COUNTY	SUSSEX COUNTY
Presentence Officers		
William G. Echols, Chief Gregory L. Fullhart, Assistant Chief (571-2420)	Horace B. Willey, Chief (736-5275)	J. Milton Messick, Chief (856-5549)
Court Reporters		
Morris D. Pearson, Chief (571-2390)	Debra S. Mitchell (736-5311)	Eileen G. Kimmel (856-5596)
Bailiffs		
Walter G. Darrell, Chief	Thomas F. Rogers, Chief	Earl E. Clark, Jr., Chief

PROTHONOTARIES

NEW CASTLE COUNTY	KENT COUNTY	SUSSEX COUNTY
Prothonotary Public Building 1020 North King Street Wilmington, DE 19801 (571-2396, 571-7575)	Prothonotary Kent County Courthouse 38 The Green Dover, DE 19901 (736-5328)	Prothonotary Sussex County Courthouse The Circle Georgetown, DE 19947 (856-7701, X270)
Prothonotaries		
Margo E. Bane	Emily G. Morris	Lawrence E. Sammons
Chief Deputies		
Elizabeth O. Richeson Evelyn B. Kniesley	Mary Jane Cronk	Carol B. Thomas
Deputies		
Sharon Agnew Barbara Hrinak Wilma McDowell Raymond Wilson	Sheila Wolfe	Myrtle E. Shockley Sarah D. Washington

SUPERIOR COURT

SHERIFFS

NEW CASTLE COUNTY

Sheriff
Public Building
1020 North King Street
Wilmington, DE 19801
(571-7564, 571-7565)

Sheriffs
Michael P. Walsh

Chief Deputies
Loretta Forsythe-Walsh

Chief Deputy Sheriff
Edward F. Bonk, Sr.

Deputies
Patricia C. Rapps

KENT COUNTY

Sheriff
Kent County Courthouse
38 The Green
Dover, DE 19901
(736-2000, X212)

George J. Dill

George D. Hill, Jr.
Richard G. Winchell, Jr.
Audrey Clendaniel
Charlotte Gibbons

SUSSEX COUNTY

Sheriff
Sussex County Courthouse
The Circle
Georgetown, DE 19947
(856-7701, X240)

Stephen E. Rogers

Lynwood Whaley
Glen Eskridge
Sara Beth Long
Violet Pepper

SUPERIOR COURT

FISCAL YEAR 1983
CRIMINAL CASES
WORKLOAD SUMMARY

	Number of Defendants Pending 6/30/82	Filings	Dispositions	Pending 6/30/83	Change In Pending	% Change In Pending
New Castle	1,100	2,954	2,997	1,057	- 43	- 3.9%
Kent	339	391	456	274	- 65	-19.2%
Sussex	166*	316	431	51	-115	-69.3%
State	1,605*	3,661	3,884	1,382	-223	-13.9%

COMPARISON - FISCAL YEARS 1982-1983
WORKLOAD

FILINGS

	Number of Defendants 1982	1983	Change	% Change
New Castle	2,892	2,954	+ 62	+ 2.1%
Kent	495	391	-104	-21.0%
Sussex	310	316	+ 6	+ 1.9%
State	3,697	3,661	- 36	- 1.0%

DISPOSITIONS

	Number Of Defendants 1982	1983	Change	% Change
New Castle	2,759	2,997	+238	+ 8.6%
Kent	437	456	+ 19	+ 4.3%
Sussex	348	431	+ 83	+23.9%
State	3,544	3,884	+340	+ 9.6%

*Adjusted from 1982 Annual Report

Source: Superior Court Case Scheduling Office

SUPERIOR COURT

FISCAL YEAR 1983
CRIMINAL CASES
WORKLOAD
EXPLANATORY NOTES

1. The unit of count in Superior Court criminal cases is the defendant. A defendant is defined as an individual named in an indictment, so that an individual named in 3 indictments is counted as 3 defendants. An individual with a consecutively-numbered series of informations, appeals, or transfers filed on the same day is counted as one defendant.

2. Informations are filed if defendants waive indictment.

3. Transfers are defendants brought before the Court of Common Pleas in New Castle County who request jury trials. Since the Court of Common Pleas in Kent and Sussex Counties itself holds jury trials, there are no transfers in those 2 counties.

4. Reinstatements represent defendants who have had their cases disposed of who are brought back before Superior Court for one of the following reasons:
   -Mistrial
   -Hung Jury
   -Motion for new trial granted
   -Guilty plea withdrawn
   -Lower court appeal reinstated after being dismissed
   -Conviction overturned by Supreme Court; remanded to Superior Court for new trial

5. Severances are defendants indicted on multiple charges whose charges are severed to be tried separately.

6. Trial dispositions refer to the number of defendants whose charges were disposed of at a trial, not the number of trials per se. The date of disposition is the trial date, unless the decision is reserved, in which case it is the date when the opinion is handed down.

7. A defendant is counted as being disposed of by nolle prosequi only if all charges in an indictment or information or all charges transferred or appealed simultaneously are dropped. For example, if a defendant pleads guilty to one charge in an indictment, and other charges in the same indictment are then nol-prossed, that defendant is considered to have been disposed of by guilty plea on the date of the plea.

8. Defendants are not counted as disposed of by nol-pros if the nolle prosequi was filed to an original charge because the defendant entered a guilty plea to a New Information. Since the New Information is a further action in an existing case and is not counted as a separate filing, so also the nol-pros is not the primary disposition.

9. Only nol-prosses filed for defendants who were actually brought before Superior Court by indictment, information, appeal, transfer, reinstatement, or severance are counted in the total number of Superior Court dispositions. Nolle prosequis of unindicted defendants are listed separately because such defendants were never formally before the Superior Court.

10. Unindicted nolle prosequis are felony or drug defendants who were arrested and were bound over to Superior Court by a lower court either because probable cause was found or because the defendant waived preliminary hearing. The Attorney General then decided not to seek indictment or the grand jury ignored the indictment and a nolle prosequi was filed.

11. Remands are defendants who appealed or transferred their cases to Superior Court and had them remanded back to lower court. ADRR's are cases in which an appeal to Superior Court has been dismissed with the record being remanded to the court from which it came. ADRR's and remands do not constitute the dispositions of all appeals that are filed; some are disposed of by trial de novo, plea, or nolle prosequi.

12. Other types of dispositions include consolidations and diversions. A consolidation represents a single individual who is indicted separately on different charges but whose charges are consolidated to be tried together. Thus an individual indicted in January and again in February, and who is counted as two filings, who has the charges tried together will receive one trial disposition and one consolidation disposition. Diversions represent those defendants who are charged with driving under the influence and are first time offenders. The defendants elect to enroll in a rehabilitation program and waive their right to a speedy trial. If the individual satisfactorily completes the program and pays all fees, the driving under the influence charge will be nolle prossed.

SUPERIOR COURT

FISCAL YEAR 1983
CRIMINAL CASES
WORKLOAD BREAKDOWNS

FILINGS

	Number of Defendants Brought to Superior Court By:													
	Indictment		Information		Appeal		Transfer		Reinstatement		Severance		TOTALS	
New Castle	2,431	82.3%	32	1.1%	104	3.5%	351	11.9%	32	1.1%	4	0.1%	2,954	100.0%
Kent	360	92.1%	11	2.8%	16	4.1%	0	0.0%	2	0.5%	2	0.5%	391	100.0%
Sussex	236	74.7%	43	13.6%	34	10.8%	1	0.3%	2	0.6%	0	0.0%	316	100.0%
State	3,027	82.7%	86	2.3%	154	4.2%	352	9.6%	36	1.0%	6	0.2%	3,661	100.0%

DISPOSITIONS

	Number of Defendants Disposed of By:															
	Trial		Guilty Plea		Nolle Prosequi		Dismissal		ADRR		Remand Transfer		Diversion		Consolidation		TOTALS	
New Castle	277	9.2%	1,782	59.5%	861	28.7%	22	0.7%	23	0.8%	2	0.1%	28	0.9%	2	0.1%	2,997	100.0%
Kent	34	7.5%	339	74.3%	74	16.2%	5	1.1%	4	0.9%	0	0.0%	0	0.0%	0	0.0%	456	100.0%
Sussex	29	6.7%	315	73.1%	61	14.2%	3	0.7%	10	2.3%	6	1.4%	7	1.6%	0	0.0%	431	100.0%
State	340	8.8%	2,436	62.7%	996	25.6%	30	0.8%	37	0.9%	8	0.2%	35	0.9%	2	0.1%	3,884	100.0%

PENDING AT END OF YEAR

	Number of Defendants					
	Triable		Non-Triable		TOTALS	
New Castle	592	56.0%	465	44.0%	1,057	100.0%
Kent	31	11.3%	243	88.7%	274	100.0%
Sussex	46	90.2%	5	9.8%	51	100.0%
State	669	48.4%	713	51.6%	1,382	100.0%

CHANGE IN PENDING

	Number of Defendants		
	Triable	Non-Triable	TOTALS
New Castle	+ 67	-110	- 43
Kent	- 64	- 1	- 65
Sussex	- 18	- 97	-115
State	- 15	-208	-223

ADRR = Appeal Dismissed, Record Remanded

Source: Superior Court Case Scheduling Office

SUPERIOR COURT

FISCAL YEAR 1983
CRIMINAL CASES
TYPES OF DISPOSITIONS

TRIAL DISPOSITIONS - PART ONE

Number of Defendants Disposed of By:

	Jury Trial	Non-Jury Trial	TOTALS	Guilty	Not Guilty*	No Final Disposition**	TOTALS
New Castle	244 88.1%	33 11.9%	277 100.0%	183 66.1%	68 24.5%	26 9.4%	277 100.0%
Kent	32 94.1%	2 5.9%	34 100.0%	25 73.5%	4 11.8%	5 14.7%	34 100.0%
Sussex	11 37.9%	18 62.1%	29 100.0%	20 69.0%	9 31.0%	0 0.0%	29 100.0%
State	287 84.4%	53 15.6%	340 100.0%	228 67.1%	81 23.8%	31 9.1%	340 100.0%

TRIAL DISPOSITIONS - PART TWO

Number of Defendants Disposed of By:

	Jury Trial							Non-Jury Trial						
	Guilty	Guilty LIO	Not Guilty	Nolle Prosequi At Trial	Dismissed At Trial	Mistrial	Hung Jury	Guilty	Guilty LIO	Not Guilty	Nolle Prosequi At Trial	Dismissed At Trial	Mistrial	TOTALS
New Castle	140	22	40	12	4	9	17	17	4	4	2	6	0	277
Kent	19	4	4	0	0	5	0	2	0	0	0	0	0	34
Sussex	5	4	2	0	0	0	0	9	2	5	0	2	0	29
State	164	30	46	12	4	14	17	28	6	9	2	8	0	340

LIO = Lesser Included Offense
*Includes Dismissals at Trial and Nolle Prosequis at Trial
**Hung Juries and Mistrials

Source: Superior Court Case Scheduling Office

SUPERIOR COURT

FISCAL YEAR 1983
CRIMINAL CASES
TYPES OF DISPOSITIONS
GUILTY PLEA DISPOSITIONS

Felony

	PG-Original		PG-Lesser		PG-NI		PG-Information		TOTALS	
New Castle	590	75.2%	155	19.8%	20	2.6%	19	2.4%	784	100.0%
Kent	95	71.4%	26	19.5%	7	5.3%	5	3.8%	133	100.0%
Sussex	84	50.6%	51	30.7%	0	0.0%	31	18.7%	166	100.0%
State	769	71.0%	232	21.4%	27	2.5%	55	5.1%	1,083	100.0%

Misdemeanor

	PG-Original		PG-Lesser		PG-NI		PG-Information		TOTALS	
New Castle	183	18.3%	535	53.6%	104	10.4%	176	17.6%	998	100.0%
Kent	34	26.5%	142	68.9%	8	3.9%	22	10.7%	206	100.0%
Sussex	29	19.5%	105	70.5%	0	0.0%	15	10.1%	149	100.0%
State	246	18.2%	782	57.8%	112	8.3%	213	15.7%	1,353	100.0%

Guilty Plea Totals

	PG Original		PG-Lesser		PG-NI		PG-Information		TOTALS	
New Castle	773	43.4%	690	38.7%	124	7.0%	195	10.9%	1,782	100.0%
Kent	129	38.0%	168	49.6%	15	4.4%	27	8.0%	339	100.0%
Sussex	113	35.9%	156	49.5%	0	0.0%	46	14.6%	315	100.0%
State	1,015	41.7%	1,014	41.6%	139	5.7%	268	11.0%	2,436	100.0%

EXPLANATORY NOTES

1. Guilty plea dispositions do not include pleas made during trials. They are included in the trial disposition totals.
2. "PG-Original" includes defendants who pled guilty to all charges or to the major charge of a multi-count indictment, appeal, transfer, or reinstatement.
3. "PG-Lesser" includes defendants who pled guilty to a lesser included offense of the most serious charge, a less serious charge of a multi-count indictment or other filings, or a lesser included offense of a less serious charge of a multi-count indictment or other filing.
4. "PG-NI" indicates that a defendant pled guilty to a new information - always a less serious charge than the original one.
5. "PG-Information" denotes a defendant who waived indictment and pled guilty to an information filed by the Attorney General. This is always a reduced charge.
6. A plea of nolo contendere is considered to be the equivalent of a guilty plea; e.g., a plea of nolo contendere to a lesser included offense is counted with the PG-Lesser.

Source: Superior Court Case Scheduling Office

SUPERIOR COURT

FISCAL YEAR 1983
CRIMINAL CASES
TYPES OF DISPOSITIONS

NOLLE PROSEQUI DISPOSITIONS - PART ONE*

	Number of Defendants With Nolle Prosequis By Special Condition		Number of Defendants With Nolle Prosequis By Merit		Total Number Defendants Disposed Of By Nolle Prosequi	
New Castle	362	55.3%	499	44.7%	861	100.0%
Kent**	-	-	-	-	74	100.0%
Sussex	31	39.1%	30	60.9%	61	100.0%
State**	-	-	-	-	996	100.0%

NOLLE PROSEQUI DISPOSITIONS - PART TWO*

	Number of Defendants With Nolle Prosequis by Special Condition								Number of Defendants With Nolle Prosequis by Merit										
	Guilty of Other Charges, Different Indictment	Disposed of in Other Court	Reindicted	Placed on AG's Probation	Made Restitution	Placed in Custody of Other Jurisdiction	Indicted on Other Charges	Miscellaneous	Codefendant Guilty	Granted Immunity, AG's Witness	Defense Valid	Prosecutive Merit	Police Problems	Victim/Witness Availability/ Deceased	Victim/Witness Attitude/ Credibility	Due Process	Insufficient Evidence	Wrong Person Indicted	Miscellaneous	TOTALS
New Castle	88	37	90	112	8	4	8	15	15	4	6	175	4	67	27	12	167	8	14	861
Kent**	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	74
Sussex	5	1	0	11	1	1	1	11	2	1	3	0	0	3	3	0	16	1	1	61
State**	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	996

*Nolle Prosequis for indicted defendants only.
**Breakdowns for Kent County and State not available.
AG = Attorney General

Source: Superior Court Case Scheduling Office

SUPERIOR COURT

FISCAL YEAR 1983
CRIMINAL CASES
DISPOSITIONS BY OFFENSE TYPE
NEW CASTLE COUNTY

	Number of Defendants Disposed of By:								
Offense	Trial G-NG-NFD	Guilty Plea	NP	Dismissal	ADRR	Remand/ Transfer	Diversion	Consolidation	TOTALS
Crimes of Violence									
Murder 1st	2- 0- 0	5	3	0	0	0	0	0	10
Murder 2nd	3- 1- 0	1	0	0	0	0	0	0	5
Manslaughter	0- 0- 1	5	2	0	0	0	0	0	8
Attempted Murder 1st	2- 2- 1	17	4	0	0	0	0	0	26
Assault 1st	3- 0- 0	30	9	1	0	0	0	0	43
Assault 2nd	9- 3- 1	52	28	0	0	0	0	0	93
Reckless Endangering 1st/2nd	3- 1- 0	33	11	0	0	0	0	0	48
Rape 1st	6- 1- 0	10	2	0	0	0	0	0	19
Rape 2nd	0- 1- 1	13	4	0	0	0	0	0	19
Sodomy 1st/2nd	2- 0- 0	2	1	0	0	0	0	0	5
Kidnapping 1st/2nd	3- 1- 5	14	5	0	0	0	0	0	28
Robbery 1st	17-10- 5	58	38	6	0	0	0	0	134
Robbery 2nd	4- 0- 0	18	8	1	0	0	0	0	31
Drug Offenses									
Delivery	16- 0- 3	175	47	0	0	0	0	0	241
Possession w/Intent to Deliver	21- 2- 1	90	35	0	0	0	0	0	149
Possession NN Schedule I	0- 2- 0	29	18	0	0	0	0	0	49
Other Drug Offenses	4- 6- 0	80	47	2	0	0	0	0	139
Other Indicted Offenses									
Burglary 1st/2nd/3rd	23- 7- 1	325	126	2	0	1	0	0	485
Theft/Shoplifting/RSP/Forgery	18-12- 2	402	227	3	1	1	0	1	667
Weapons Offenses	10- 3- 0	111	44	1	0	0	0	0	169
Other Indicted Offenses	18- 2- 3	148	77	0	0	0	0	0	248
Appeals and Transfers									
DUI/CUI	4- 2- 2	66	12	2	5	0	28	0	121
Other Traffic Offenses	3- 3- 0	56	45	1	11	0	0	0	119
Non-Traffic Offenses	12- 9- 0	42	68	3	6	0	0	1	141
TOTALS	183-68-26	1,782	861	22	23	2	28	2	2,997

ADRR = Appeal Dismissed, Record Remanded
DUI/CUI = Driving Under the Influence/Control Under the Influence
G = Guilty
NFD = No Final Disposition (Hung Juries and Mistrials)
NG = Not Guilty (includes Dismissals at Trial and Nolle Prosequis at Trial)
NN = Non-Narcotic
NP = Nolle Prosequi
RSP = Receiving Stolen Property

Source: Superior Court Case Scheduling Office

SUPERIOR COURT

FISCAL YEAR 1983
CRIMINAL CASES
DISPOSITIONS BY OFFENSE TYPE

KENT COUNTY

Offense	Trial G-NG-NFD	Guilty Plea	NP	Dismissal	ADRR	Consolidation	TOTALS
Crimes of Violence							
Murder 1st	3-1-0	4	1	0	0	0	9
Murder 2nd	0-0-0	1	0	0	0	0	1
Attempted Murder 1st	0-0-0	1	0	0	0	0	1
Assault 1st	1-0-0	8	1	1	0	0	11
Assault 2nd	2-0-0	19	13	1	0	0	35
Reckless Endangering 1st/2nd	0-0-0	6	1	0	0	0	7
Rape 1st	4-0-3	3	0	0	0	0	10
Rape 2nd	0-0-0	1	5	0	0	0	6
Sodomy 1st/2nd	0-0-0	1	0	0	0	0	1
Kidnapping 1st/2nd	0-1-0	1	0	0	0	0	2
Robbery 1st	3-0-0	9	4	0	0	0	16
Robbery 2nd	1-0-0	6	2	0	0	0	9
Drug Offenses							
Delivery	0-1-0	8	2	0	0	0	11
Possession w/Intent to Deliver	0-0-0	10	1	0	0	0	11
Possession NN Schedule I	0-0-0	1	0	0	0	0	1
Other Drug Offenses	2-0-0	11	2	0	0	0	15
Other Indicted Offenses							
Burglary 1st/2nd/3rd	3-1-0	101	13	1	0	0	119
Theft/Shoplifting/RSP/Forgery	1-0-2	87	19	2	0	0	111
Weapons Offenses	2-0-0	21	2	0	0	0	25
Other Indicted Offenses	2-0-0	25	7	0	0	0	34
Appeals and Transfers							
DUI/CUI	0-0-0	4	1	0	0	0	5
Other Traffic Offenses	1-0-0	9	0	0	2	0	12
Non-Traffic Offenses	0-0-0	2	0	0	2	0	4
TOTALS	25-4-5	339	74	5	4	0	456

ADRR = Appeal Dismissed, Record Remanded
DUI/CUI = Driving Under the Influence/Control Under the Influence
G = Guilty
NFD = No Final Disposition (Hung Juries and Mistrials)
NG = Not Guilty - (Includes Dismissals at Trial and Nolle Prosequis at Trial)
NN = Non-Narcotic
NP = Nolle Prosequi
RSP = Receiving Stolen Property

Source: Superior Court Case Scheduling Office

SUPERIOR COURT

FISCAL YEAR 1983
CRIMINAL CASES
DISPOSITIONS BY OFFENSE TYPE

SUSSEX COUNTY

Offense	Trial G-NG-NFD	Guilty Plea	NP	Dismissal	ADRR	Remand/ Transfer	Diversion	TOTALS
Crimes of Violence								
Murder 1st	0-0-0	3	0	0	0	0	0	3
Murder 2nd	0-0-0	3	0	0	0	0	0	3
Manslaughter	0-0-0	1	0	0	0	0	0	1
Attempted Murder 1st	1-0-0	3	0	0	0	0	0	4
Assault 1st	2-0-0	12	0	0	0	0	0	14
Assault 2nd	1-3-0	11	1	0	0	0	0	16
Reckless Endangering 1st/2nd	1-0-0	7	1	0	0	0	0	9
Rape 1st	0-0-0	4	1	0	0	3	0	8
Rape 2nd	0-0-0	3	0	0	0	0	0	3
Sodomy 1st/2nd	0-0-0	2	0	0	0	0	0	2
Robbery 1st	1-0-0	12	1	0	0	0	0	14
Robbery 2nd	0-0-0	4	1	0	0	0	0	5
Drug Offenses								
Delivery	0-0-0	9	2	0	0	0	0	11
Possession w/Intent to Deliver	1-0-0	17	1	0	0	0	0	19
Possession NN Schedule I	0-0-0	9	0	0	0	0	0	9
Other Drug Offenses	0-0-0	15	6	0	0	0	0	21
Other Indicted Offenses								
Burglary 1st/2nd/3rd	3-0-0	64	7	0	0	2	0	76
Theft/Shoplifting/RSP/Forgery	2-3-0	57	19	1	1	0	0	83
Weapons Offenses	3-0-0	9	2	0	0	0	0	14
Other Indicted Offenses	4-3-0	52	14	1	0	0	0	74
Appeals and Transfers								
DUI/CUI	0-0-0	7	0	0	2	0	7	16
Other Traffic Offenses	1-0-0	8	5	0	5	0	0	19
Non-Traffic Offenses	0-0-0	3	0	1	2	1	0	7
TOTALS	20-9-0	315	61	3	10	6	7	431

ADRR = Appeal Dismissed, Record Remanded
DUI/CUI = Driving Under the Influence/Control Under the Influence
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NFD = No Final Disposition (Hung Juries and Mistrials)
NG = Not Guilty (Includes Dismissals at Trial and Nolle Prosequis at Trial)
NN = Non-Narcotic
NP = Nolle Prosequi
RSP = Receiving Stolen Property

Source: Superior Court Case Scheduling Office

SUPERIOR COURT

FISCAL YEAR 1983
CRIMINAL CASES
DISPOSITIONS BY OFFENSE TYPE

STATE

Offense	Trial G-NG-NFD	Number of Defendants Disposed of By: Guilty Plea	NP	Dismissal	ADRR	Remand/ Transfer	Diversion	Consolidation	TOTALS
Crimes of Violence									
Murder 1st	5- 1- 0	12	4	0	0	0	0	0	22
Murder 2nd	3- 1- 0	5	0	0	0	0	0	0	9
Manslaugher	0- 0- 1	6	2	0	0	0	0	0	9
Attempted Murder 1st	3- 2- 1	21	4	0	0	0	0	0	31
Assault 1st	6- 0- 0	50	10	2	0	0	0	0	68
Assault 2nd	12- 6- 1	82	42	1	0	0	0	0	144
Reckless Endangering 1st/2nd	4- 1- 0	46	13	0	0	0	0	0	64
Rape 1st	10- 1- 3	17	3	0	0	3	0	0	37
Rape 2nd	0- 1- 1	17	9	0	0	0	0	0	28
Sodomy 1st/2nd	2- 0- 0	5	1	0	0	0	0	0	8
Kidnapping 1st/2nd	3- 2- 5	15	5	0	0	0	0	0	30
Robbery 1st	21-10- 5	79	43	6	0	0	0	0	164
Robbery 2nd	5- 0- 0	28	11	1	0	0	0	0	45
Drug Offenses									
Delivery	16- 1- 3	192	51	0	0	0	0	0	263
Possession w/Intent to Deliver	22- 2- 1	117	37	0	0	0	0	0	179
Possession NN Schedule I	0- 2- 0	39	18	0	0	0	0	0	59
Other Drug Offenses	6- 6- 0	106	55	2	0	0	0	0	175
Other Indicted Offenses									
Burglary 1st/2nd/3rd	29- 8- 1	490	146	3	0	3	0	0	680
Theft/Shoplifting/RSP/Forgery	21-15- 4	546	265	6	2	1	0	1	861
Weapons Offenses	15- 3- 0	141	48	1	0	0	0	0	208
Other Indicted Offenses	24- 5- 3	225	98	1	0	0	0	0	356
Appeals and Transfers									
DUI/CUI	4- 2- 2	77	13	2	7	0	35	0	142
Other Traffic Offenses	5- 3- 0	73	50	1	18	0	0	0	150
Non-Traffic Offenses	12- 9- 0	47	68	4	10	1	0	1	152
TOTALS	228-81-31	2,436	996	30	37	8	35	2	3,884

ADRR = Appeal Dismissed, Record Remanded
DUI/CUI = Driving Under the Influence/Control Under the Influence
G = Guity
NFD = No Final Disposition (Hung Juries and Mistrials)
NG = Not Guilty (includes Dismissals at Trial and Nolle Prosequis at Trial)
NN = Non-Narcotic
NP = Nolle Prosequi
RSP = Receiving Stolen Property

Source: Superior Court Case Scheduling Office

SUPERIOR COURT

FISCAL YEAR 1983
CRIMINAL CASES

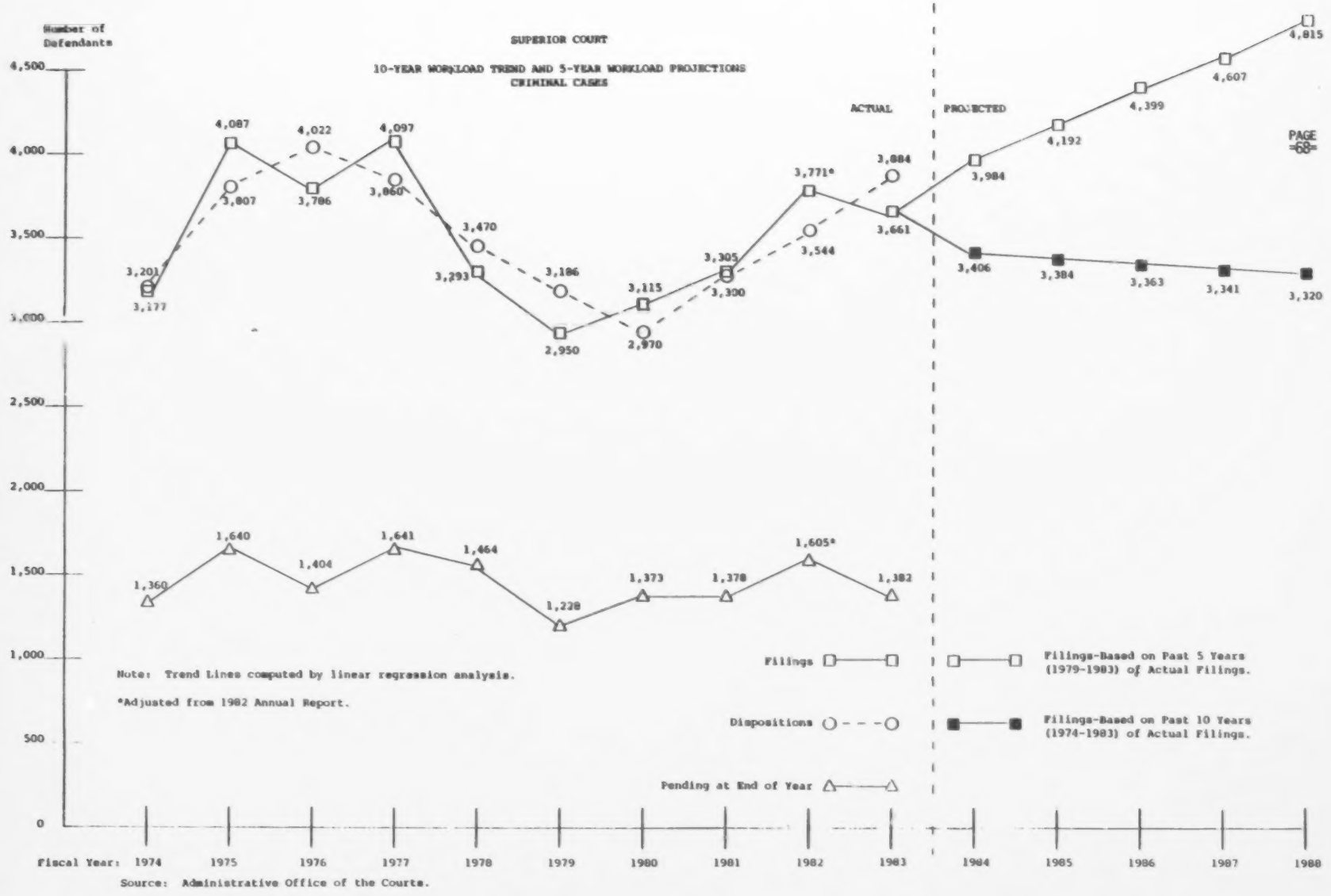
CRIMINAL TRIALS

	Number of Jury Trials	Number of Non-Jury Trials	Total Number of Trials	Days In Trial	Average Length Per Trial
New Castle	217 88.2%	29 11.8%	246 100.0%	449.2	1.83 days
Kent	29 93.5%	2 6.5%	31 100.0%	107.2	3.46
Sussex	11 36.7%	19 63.3%	30 100.0%	35.3	1.18
State	257 83.7%	50 16.3%	307 100.0%	591.7	1.93 days

CRIMINAL TRIAL CALENDAR ACTIVITY

	Total Number Of Defendants Scheduled	Number of Defendants Rescheduled	Percentage of Defendants Rescheduled	Rescheduled At Defense Request	Rescheduled At Prosecution Request	Rescheduled At Mutual Request	Rescheduled At Court Request
New Castle	2,782	1,048	37.7%	561 53.5%	297 28.3%	122 11.6%	68 6.5%
Kent	739	350	47.4%	127 36.3%	90 25.7%	67 19.1%	66 18.9%
Sussex	448	197	44.0%	96 48.7%	44 22.3%	40 20.3%	17 8.6%
State	3,969	1,595	40.2%	784 49.2%	431 27.0%	229 14.4%	151 9.5%

Source: Superior Court Case Scheduling Office



Note: Trend Lines computed by linear regression analysis.

*Adjusted from 1982 Annual Report.

Source: Administrative Office of the Courts.

SUPERIOR COURT

FISCAL YEAR 1983
CRIMINAL CASES
PERFORMANCE SUMMARY

	Total Number of Defendants Disposed of	Average Time from Arrest to Disposition*	Median Time from Arrest to Disposition**	Average Time from Indictment/Information to Disposition*#	Median Time from Indictment/Information to Disposition**#
New Castle	2,997	96.1 days	78.7 days	68.4 days	47.3 days
Kent	456	102.0 days	86.6 days	71.3 days	56.1 days
Sussex	431	101.7 days	82.3 days	61.2 days	42.8 days
State	3,884	97.4 days	80.0 days	68.0 days	47.9 days

COMPLIANCE WITH 120-DAY SPEEDY TRIAL MANDATE

	Number of Defendants Disposed of Within 120 Days of Arrest		Number of Defendants Disposed of 121 Days or More After Arrest		Total Number of Defendants Disposed of	
New Castle	2,237	74.6%	760	25.4%	2,997	100.0%
Kent	318	69.7%	138	30.3%	456	100.0%
Sussex	345	80.0%	86	20.0%	431	100.0%
State	2,900	74.7%	984	25.3%	3,884	100.0%

*Calculated using grouped means method.
**Calculated using grouped medians method.
#Includes only defendants brought to Superior Court by indictment or information.

Source: Superior Court Case Scheduling Office

SUPERIOR COURT

FISCAL YEAR 1983
CRIMINAL CASES
PERFORMANCE
EXPLANATORY NOTES

1. The Speedy Trial Directive of Chief Justice Daniel L. Herrmann states that all criminal defendants brought before Superior Court should be tried within 120 days of arrest.

2. The charts measure the average and median time intervals between arrest and disposition, and the average and median time intervals between indictment/information and disposition. It is not possible to subtract the figures for indictment/information to disposition from the figures for arrest to disposition to determine preindictment/information time intervals, however, as there may be a different number of cases being counted in the different categories (i.e. unindicted nolle prosequis).

3. In measuring the elapsed time of defendants for the purposes of computing compliance with speedy trial directives or average elapsed time, Superior Court excludes the following time intervals:

   a. For all capiases, the time between the date the capias is issued and the date the capias is executed.

   b. For all Rule 9 Summonses and Rule 9 Warrants, the time between arrest and indictment/information, if any.

   c. For all nolle prosequis, all time between the scheduled trial date and the actual filing date of the nolle prosequi.

SUPERIOR COURT

FISCAL YEAR 1983
PRESENTENCE OFFICE
WORKLOAD SUMMARY

	Pending* 6/30/82	Investigations Ordered	Investigations** Completed	Pending* 6/30/83	Change In Pending	% Change In Pending
New Castle	323	1,399	1,422	300	- 23	- 7.1%
Kent	33	304	298	39	+ 6	+18.2%
Sussex	29	248	250	27	- 2	- 6.9%
State	385	1,951	1,970	366	- 19	- 4.9%

COMPARISON - FISCAL YEARS 1982-1983
PRESENTENCE OFFICE
WORKLOAD

INVESTIGATIONS ORDERED

	1982	1983	Change	% Change
New Castle	1,470	1,399	- 71	- 4.8%
Kent	275	304	+ 29	+10.5%
Sussex	166	248	+ 82	+49.4%
State	1,911	1,951	+ 40	+ 2.1%

INVESTIGATIONS COMPLETED**

	1982	1983	Change	% Change
New Castle	1,332	1,422	+ 90	+ 6.8%
Kent	271	298	+ 27	+10.0%
Sussex	170	250	+ 80	+47.1%
State	1,773	1,970	+197	+11.1%

*A pending investigation is one which has been ordered but has not yet been written and typed.
**An investigation is completed when it has been both written and typed.

Source: Superior Court Presentence Offices: New Castle, Kent and Sussex Counties.

SUPERIOR COURT

FISCAL YEAR 1983
PRESENTENCE OFFICE

PERFORMANCE SUMMARY

	Number of Defendants Sentenced After Presentence Investigations	Average Time From Date Ordered to Date Written	Average Time From Date Written to Date Typed	Average Time From Date Ordered to Date Typed	Average Time From Date Typed to Date Sentenced	Average Time From Date Ordered to Date Sentenced*
New Castle	1,414	54.7 days	3.2 days	57.9 days	42.1 days	100.0 days
Kent	300	40.6	1.6	42.2	22.6	64.8
Sussex	227	56.2	5.8	62.0	46.0	108.0
State	1,941	52.7 days	3.3 days	56.0 days	38.2 days	94.2 days

COMPLIANCE WITH 30-DAY STANDARD**

	Number of Investigations Completed Within 30 Days of Verdict		Number of Investigations Completed 31 Days or More After Verdict		Total Number of Investigations Completed	
New Castle	137	9.6%	1,285	90.4%	1,422	100.0%
Kent	153	51.3%	145	48.7%	298	100.0%
Sussex	15	6.0%	235	94.0%	250	100.0%
State	305	15.5%	1,665	84.5%	1,970	100.0%

*These figures are gross elapsed time from the date the presentence investigation was ordered to the defendant's sentencing date. If all the time the sentencings were delayed due to capiases, continuances, and motions was subtracted from these figures, the net average elapsed times for presentence investigations from the date ordered to the date sentenced would be as follows:

New Castle	89.0 days
Kent	60.0 days
Sussex	Not Available
State	Not Available

**The Speedy Trial Directive of Chief Justice Daniel L. Herrmann includes a standard that the time from the Court's verdict to the completion of the presentence investigation should not exceed 30 days. A presentence investigation is considered to be completed once it has been written and typed.

SUPERIOR COURT

COMPARISON - FISCAL YEARS 1982-1983
PRESENTENCE OFFICE
PERFORMANCE

NEW CASTLE COUNTY	1982	1983	Change	% Change
# of Defendants Sentenced After Presentence Investigations	1,282	1,414	+132	+10.3%
Average Time From Date Ordered to Date Written	69.8 days	54.7 days	- 15.1 days	-21.6%
Average Time From Date Written to Date Typed	2.1 days	3.2 days	+ 1.1 days	+52.4%
Average Time From Date Ordered to Date Typed	71.9 days	57.9 days	- 14.0 days	-19.5%
Average Time From Date Typed to Date Sentenced	33.2 days	42.1 days	+ 8.9 days	+26.8%
Average Time From Date Ordered to Date Sentenced	105.2 days	100.0 days	- 5.2 days	- 4.9%

KENT COUNTY	1982	1983	Change	% Change
# of Defendants Sentenced After Presentence Investigations	259	300	+ 41	+15.8%
Average Time From Date Ordered to Date Written	34.2 days	40.6 days	+ 6.4 days	+18.7%
Average Time From Date Written to Date Typed	2.2 days	1.6 days	- 0.6 days	-27.3%
Average Time From Date Ordered to Date Typed	36.4 days	42.2 days	+ 5.8 days	+15.9%
Average Time From Date Typed to Date Sentenced	53.9 days	22.6 days	- 31.3 days	-58.1%
Average Time From Date Ordered to Date Sentenced	90.3 days	64.8 days	- 25.5 days	-28.2%

SUSSEX COUNTY	1982	1983	Change	% Change
# of Defendants Sentenced After Presentence Investigations	175	227	+ 52	+29.7%
Average Time From Date Ordered to Date Written	55.8 days	56.2 days	+ 0.4 days	+ 0.7%
Average Time From Date Written to Date Typed	4.1 days	5.8 days	+ 1.7 days	+41.5%
Average Time From Date Ordered to Date Typed	60.0 days	62.0 days	+ 2.0 days	+ 3.3%
Average Time From Date Typed to Date Sentenced	38.8 days	46.0 days	+ 7.2 days	+18.6%
Average Time From Date Ordered to Date Sentenced	98.8 days	108.0 days	+ 9.2 days	+ 9.3%

STATE	1982	1983	Change	% Change
# of Defendants Sentenced After Presentence Investigations	1,716	1,941	+225	+13.1%
Average Time From Date Ordered to Date Written	63.0 days	52.7 days	- 10.3 days	-16.3%
Average Time From Date Written to Date Typed	2.3 days	3.3 days	+ 1.0 days	+43.5%
Average Time From Date Ordered to Date Typed	65.4 days	56.0 days	- 9.3 days	-14.2%
Average Time From Date Typed to Date Sentenced	36.9 days	38.2 days	+ 1.3 days	+ 3.5%
Average Time From Date Ordered to Date Sentenced	102.3 days	94.2 days	- 8.1 days	- 7.9%

Source: Administrative Office of the Courts

SUPERIOR COURT

FISCAL YEAR 1983
PRESENTENCE OFFICE
PRODUCTIVITY

	INVESTIGATIONS			TYPING		
	Number of Investigations Written	Number of Investigators Available	Average Number Written Per Investigator	Number of Investigations Typed	Number of Typists Available	Average Number Typed Per Typist
New Castle	1,411	8.22	14.3/Month, 171.7/Year	1,422	2.32	50.9/Month, 610.6/Year
Kent	297	3.00	8.3/Month, 99.0/Year*	298	2.00	12.4/Month, 149.0/Year**
Sussex	244	2.00	10.2/Month, 122.0/Year#	250	1.00	20.8/Month, 250.0/Year##
State	1,952	13.22	12.3/Month, 147.7/Year	1,970	5.32	30.9/Month, 370.3/Year

*Kent County Presentence Officers write reports for both Superior Court and the Court of Common Pleas. These figures are for Superior Court only. If the 44 written for the Court of Common Pleas during FY 1983 were included, the average written per investigator would be 9.5 reports per month and 113.7 reports per year.

**These figures are for Superior Court only. If the 42 reports typed for the Court of Common Pleas were included, the typing productivity would become 14.2 reports typed per month and 170.0 reports per year.

#Sussex County Presentence Officers write reports for both Superior Court and the Court of Common Pleas. These figures are for Superior Court only. If the 45 reports written for the Court of Common Pleas during FY 1983 were included, the figures would be 12.0 reports per month and 144.5 reports per year.

##These figures are for Superior Court only. If the 47 reports typed for the Court of Common Pleas were included, the typing productivity would become 24.8 reports typed per month and 297.0 reports typed per year.

Source: Administrative Office of the Courts

SUPERIOR COURT

COMPARISON - FISCAL YEARS 1982-1983
PRESENTENCE OFFICE
PRODUCTIVITY

NEW CASTLE COUNTY	1982	1983	Change	% Change
# of Investigations Written	1,360	1,411	+ 51	+ 3.8%
Average # Written Per Investigator Per Month	12.7	14.3	+ 1.6	+12.6%
Average # Written Per Investigator Per Year	152.1	171.7	+ 19.6	+12.9%
# of Investigations Typed	1,332	1,422	+ 90	+ 6.8%
Average # Typed Per Typist Per Month	31.0*	50.9	+ 19.9	+64.2%
Average # Typed Per Typist Per Year	372.1*	610.6	+238.5	+64.1%

KENT COUNTY**	1982	1983	Change	% Change
# of Investigations Written	268	297	+ 29	+10.8%
Average # Written Per Investigator Per Month	7.4	8.3	+ 0.9	+12.2%
Average # Written Per Investigator Per Year	89.3	99.0	+ 9.7	+10.9%
# of Investigations Typed	271	298	+ 27	+10.0%
Average # Typed Per Typist Per Month	11.3	12.4	+ 1.1	+ 9.7%
Average # Typed Per Typist Per Year	135.5	149.0	+ 13.5	+10.0%

SUSSEX COUNTY**	1982	1983	Change	% Change
# of Investigations Written	169	244	+ 75	+44.4%
Average # Written Per Investigator Per Month	7.0	10.2	+ 3.2	+45.7%
Average # Written Per Investigator Per Year	84.5	122.0	+ 37.5	+44.4%
# of Investigations Typed	170	250	+ 80	+47.1%
Average # Typed Per Typist Per Month	14.2	20.8	+ 6.6	+46.5%
Average # Typed Per Typist Per Year	170.0	250.0	+ 80.0	+47.1%

STATE**	1982	1983	Change	% Change
# of Investigations Written	1,797	1,952	+155	+ 8.6%
Average # Written Per Investigator Per Month	10.7	12.3	+ 1.6	+15.0%
Average # Written Per Investigator Per Year	128.9	147.7	+ 18.8	+14.6%
# of Investigations Typed	1,773	1,970	+197	+11.1%
Average # Typed Per Typist Per Month	22.5*	30.9	+ 8.4	+37.3%
Average # Typed Per Typist Per Year	269.5*	370.3	+100.8	+37.4%

*Adjusted from 1982 Annual Report
**Figures are for Superior Court only. Court of Common Pleas presentence activity, which is also done by the Kent and Sussex Presentence Offices, is excluded.

Source: Administrative Office of the Courts

SUPERIOR COURT

FISCAL YEAR 1983
CIVIL CASES
WORKLOAD SUMMARY

	Pending 6/30/82	Filings	Dispositions	Pending 6/30/83	Change In Pending	% Change In Pending
New Castle	2,904	3,247	3,179	2,972	+ 68	+ 2.3%
Kent	1,184	408	216	1,376	+192	+16.2%
Sussex	526	358	318	566	+ 40	+ 7.6%
State	4,614	4,013	3,713	4,914	+300	+ 6.5%

COMPARISON - FISCAL YEARS 1982-1983
CIVIL CASES
WORKLOAD

Filings

	1982	1983	Change	% Change
New Castle	2,989	3,247	+258	+ 8.6%
Kent	508	408	-100	-19.7%
Sussex	459	358	-101	-22.0%
State	3,956	4,013	+ 57	+ 1.4%

Dispositions

	1982	1983	Change	% Change
New Castle	2,995	3,179	+184	+ 6.1%
Kent	337	216	-121	-35.9%
Sussex	392	318	- 74	-18.9%
State	3,724	3,713	- 11	- 0.3%

Source: New Castle County, Kent County, and Sussex County Prothonotaries

SUPERIOR COURT

FISCAL YEAR 1983
CIVIL CASES
EXPLANATORY NOTES

1. Complaints are suits for damages. The Complaints category included during FY 1983 Complaints for Damages, Condemnations, Ejections, Appeals from Justice of the Peace Court, Appeals from Arbitration Panel, Declaratory Judgments, Foreign Judgments, Replevins, Foreign Attachments, Domestic Attachments, Interpleaders, Breaches of Contract, Debt Actions, Transfers and Removals from the Court of Chancery, and Transfers and Removals from the Court of Common Pleas.

2. Mechanic's Liens and Mortgages are property suits.

3. Terminations and Adoptions are parental rights cases. On 9/11/80, jurisdiction over these cases was transferred to Family Court. Superior Court continues to hear those Adoptions and Terminations which had already been filed in Superior Court. However, all new cases are filed in Family Court.

4. Involuntary Commitments are proceedings held to determine whether individuals shall be involuntarily committed as mentally ill. Because Delaware State Hospital, the state's facility for mentally ill patients, is located in New Castle County, all Involuntary Commitment hearings are held in New Castle County.

5. Appeals are appeals on the record. This category includes Appeals from Administrative Agencies, Appeals from Family Court, Appeals from the Court of Common Pleas, and Certioraris.

6. Miscellaneous includes all other cases. During FY 1983 this category consisted of Complaints Requesting Order, Habeus Corpus, Mandamus, Writs of Prohibition, Petitions for Destruction of Indicia of Arrest, Petitions to Compel Satisfaction of Judgment, Petitions to Extend Judgment, Petitions for Bail Forfeitures, Petitions to Satisfy Mortgage, Petitions to Set Aside Mortgage, Petitions for Writ of Quo Warranto, Petitions to Quash Subpoena, Petitions for Issuance of Subpoena, Petitions for Appointment of Attorney, Out of State Depositions, Petitions to Sell Real Estate for Property Taxes, Petitions to Strike a Satisfied Mortgage, Petitions for Return of Property, Petitions to Vacate Public Road, Tax Ditches, Protective Orders, Road Resolutions and Rules to Show Cause, Motions for a Commission before I.A.B., Certificates of Election and Motions for Habitual Offenders.

SUPERIOR COURT

FISCAL YEAR 1983
CIVIL CASES
WORKLOAD BREAKDOWNS

FILINGS

	Complaints	Mechanic's Liens and Mortgages	Appeals	Involuntary Commitments	Miscellaneous	TOTALS
New Castle	1,466 45.1%	415 12.8%	171 5.3%	548 16.9%	647 19.9%	3,247 100.0%
Kent	242 59.3%	78 19.1%	29 7.1%	0 0.0%	59 14.5%	408 100.0%
Sussex	181 50.6%	92 25.7%	43 12.0%	0 0.0%	42 11.7%	358 100.0%
State	1,889 47.1%	585 14.6%	243 6.1%	548 13.7%	748 18.6%	4,013 100.0%

DISPOSITIONS

	Complaints	Mechanic's Liens and Mortgages	Appeals	Involuntary Commitments	Miscellaneous	TOTALS
New Castle	1,327 41.7%	447 14.1%	214 6.7%	564 17.7%	627 19.7%	3,179 100.0%
Kent	128 59.3%	63 29.2%	4 1.8%	0 0.0%	21 9.7%	216 100.0%
Sussex	169 53.1%	88 27.7%	35 11.0%	0 0.0%	26 8.2%	318 100.0%
State	1,624 43.7%	598 16.1%	253 6.8%	564 15.2%	674 18.2%	3,713 100.0%

PENDING AT END OF YEAR

	Complaints	Mechanic's Liens and Mortgages	Appeals	Involuntary Commitments	Miscellaneous	TOTALS
New Castle	2,347 79.0%	228 7.7%	165 5.6%	88 3.0%	144 4.8%	2,972 100.0%
Kent	892 64.8%	197 14.3%	112 8.1%	0 0.0%	175 12.7%	1,376 100.0%
Sussex	381 67.3%	87 15.4%	46 8.1%	0 0.0%	52 9.2%	566 100.0%
State	3,620 73.7%	512 10.4%	323 6.6%	88 1.8%	371 7.5%	4,914 100.0%

CHANGE IN PENDING

	Complaints	Mechanic's Liens and Mortgages	Appeals	Involuntary Commitments	Miscellaneous	TOTALS
New Castle	+139	-32	-43	-16	+20	+ 68
Kent	+114	+15	+25	0	+38	+192
Sussex	+ 12	+ 4	+ 8	0	+16	+ 40
State	+265	-13	-10	-16	+74	+300

Note: Terminations and Adoptions which remained in Superior Court jurisdiction now included with Miscellaneous.

Source: New Castle County, Kent County, and Sussex County Prothonotaries Offices

SUPERIOR COURT

FISCAL YEAR 1983
CIVIL CASES
TYPES OF DISPOSITIONS

COMPLAINTS DISPOSITIONS

	Trial Dispositions		Non-Trial Dispositions						
	Judgment for Plaintiff	Judgment for Defendant	Default Judgment for Plaintiff	Other Judgment for Plaintiff	Judgment for Defendant	Voluntary Dismissal	Court Dismissal	Other	TOTALS
New Castle	56 4.2%	38 2.9%	125 9.4%	52 3.9%	11 0.8%	851 64.1%	194 14.6%	0 0.0%	1,327 100.0%
Kent	7 5.5%	6 4.7%	18 14.1%	12 9.4%	2 1.6%	80 62.5%	2 1.6%	1 0.8%	128 100.0%
Sussex	6 3.6%	8 4.7%	19 11.2%	8 4.7%	4 2.4%	84 49.7%	39 23.1%	1 0.6%	169 100.0%
State	69 4.2%	52 3.2%	162 10.0%	72 4.4%	17 1.0%	1,015 62.5%	235 14.5%	2 0.1%	1,624 100.0%

MECHANIC'S LIENS AND MORTGAGES DISPOSITIONS

	Trial Dispositions		Non-Trial Dispositions					
	Judgment for Plaintiff	Judgment for Defendant	Default Judgment for Plaintiff	Other Judgment for Plaintiff	Judgment for Defendant	Voluntary Dismissal	Court Dismissal	TOTALS
New Castle	2 0.4%	2 0.4%	214 47.9%	18 4.0%	3 0.7%	186 41.6%	22 4.9%	447 100.0%
Kent	1 1.6%	0 0.0%	39 61.9%	1 1.6%	0 0.0%	22 34.9%	0 0.0%	63 100.0%
Sussex	3 3.4%	0 0.0%	54 61.4%	4 4.5%	0 0.0%	23 26.1%	4 4.5%	88 100.0%
State	6 1.0%	2 0.3%	307 51.3%	23 3.8%	3 0.5%	231 38.6%	26 4.3%	598 100.0%

Source: New Castle County, Kent County, and Sussex County Prothonotaries' Offices

SUPERIOR COURT

FISCAL YEAR 1983
CIVIL CASES
TYPES OF DISPOSITIONS

INVOLUNTARY COMMITMENTS DISPOSITIONS

	Dismissed-Voluntary Commitment	Dismissed-No Probable Cause	Dismissed-Released By Hospital	Dismissed-Defendant Deceased	TOTAL
New Castle	360 63.8%	2 0.4%	198 35.1%	4 0.7%	564 100.0%

APPEALS DISPOSITIONS

	Affirmed	Reversed	Affirmed Part/ Reversed Part	Voluntarily Dismissed	Dismissed By Court	Remanded	TOTALS
New Castle	81 37.9%	11 5.1%	3 1.4%	36 16.8%	36 16.8%	47 22.0%	214 100.0%
Kent	0 0.0%	0 0.0%	0 0.0%	2 50.0%	2 50.0%	0 0.0%	4 100.0%
Sussex	11 31.4%	3 8.6%	0 0.0%	5 14.3%	11 31.4%	5 14.3%	35 100.0%
State	92 36.4%	14 5.5%	3 1.2%	43 17.0%	49 19.4%	52 20.6%	253 100.0%

MISCELLANEOUS DISPOSITIONS*

	Signed/Granted	Denied/Dismissed	Disposition Simultaneous With Filing	TOTALS
New Castle	518 82.6%	48 7.7%	61 9.7%	627 100.0%
Kent	14 66.7%	7 33.3%	0 0.0%	21 100.0%
Sussex	20 76.9%	6 23.1%	0 0.0%	26 100.0%
State	552 81.9%	61 9.1%	61 9.1%	674 100.0%

*Includes 3 Adoptions and 1 Termination dismissed in Kent County.

Source: New Castle County, Kent County, and Sussex County Prothonotaries' Offices

SUPERIOR COURT

FISCAL YEAR 1983
CIVIL CASES

CIVIL TRIALS

	No. of Jury Trials	No. of Non-Jury Trials	Total No. of Trials
New Castle	72 65.5%	38 34.5%	110 100.0%
Kent	13 86.7%	2 13.3%	15 100.0%
Sussex	11 33.3%	22 66.7%	33 100.0%
State	96 60.8%	62 39.2%	158 100.0%

CIVIL TRIAL CALENDAR ACTIVITY

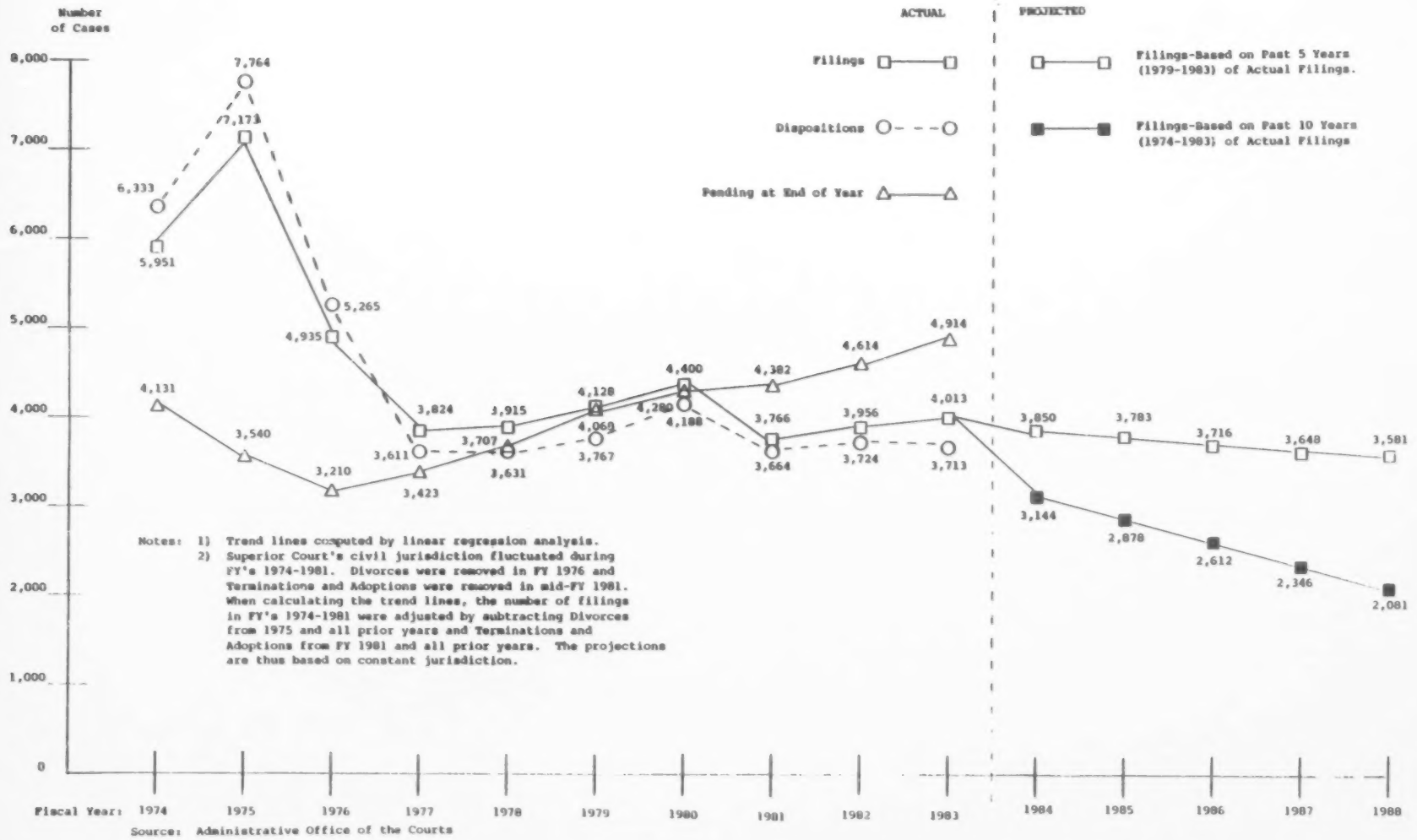
	Cases Tried	Cases Settled or Dismissed	Cases Continued for Settlement	Cases Continued Due to Lack of Judge	Cases Continued at Request of Attorney	Total Trials Scheduled
New Castle	110 20.3%	203 37.4%	6 1.1%	18 3.3%	206 37.9%	543 100.0%
Kent	15 18.8%	29 36.3%	4 5.0%	1 1.3%	31 38.8%	80 100.0%
Sussex	33 33.7%	18 18.4%	1 1.0%	2 2.0%	44 44.9%	98 100.0%
State	158 21.9%	250 34.7%	11 1.5%	21 2.9%	281 39.0%	721 100.0%

No. = Number

Source: New Castle County, Kent County, and Sussex County Prothonotaries' Offices

SUPERIOR COURT

10-YEAR WORKLOAD TREND AND 5-YEAR WORKLOAD PROJECTIONS
CIVIL CASES



Notes: 1) Trend lines computed by linear regression analysis.
2) Superior Court's civil jurisdiction fluctuated during FY's 1974-1981. Divorces were removed in FY 1976 and Terminations and Adoptions were removed in mid-FY 1981. When calculating the trend lines, the number of filings in FY's 1974-1981 were adjusted by subtracting Divorces from 1975 and all prior years and Terminations and Adoptions from FY 1981 and all prior years. The projections are thus based on constant jurisdiction.

Source: Administrative Office of the Courts

SUPERIOR COURT

FISCAL YEAR 1983
CIVIL CASES
PERFORMANCE SUMMARY

	Complaints		Mechanic's Liens and Mortgages	
	Number of Dispositions	Average Time from Filing to Disposition	Number of Dispositions	Average Time from Filing to Disposition
New Castle	1,327	585.8 days	447	203.9 days
Kent	128	469.2 days	63	258.1 days
Sussex	169	501.0 days	88	167.6 days
State	1,624	568.2 days	598	204.3 days

	Appeals		Involuntary Commitments		Miscellaneous*	
	Number of Dispositions	Average Time from Filing to Disposition	Number of Dispositions	Average Time from Filing to Disposition	Number of Dispositions	Average Time from Filing to Disposition
New Castle	214	379.6 days	564	39.0 days	607	29.1 days
Kent	4	353.0 days	0	-	21	500.2 days
Sussex	35	334.2 days	0	-	26	82.1 days
State	253	372.9 days	564	39.0 days	654	46.4 days

*Includes 4 terminations and adoptions in Kent County averaging 2,488.8 days each. The miscellaneous totals without these terminations and adoptions would be 17 dispositions at an average of 32.4 days for Kent County.

Source: New Castle County, Kent County, and Sussex County Prothonotaries' Offices

SUPERIOR COURT

FISCAL YEAR 1983
CIVIL CASES
PERFORMANCE BREAKDOWNS

COMPLAINTS - ELAPSED TIME - PART ONE

	Cases Placed for Trial		Cases Not Placed for Trial		TOTALS	
	Number of Dispositions	Average Time from Filing to Disposition	Number of Dispositions	Average Time from Filing to Disposition	Number of Dispositions	Average Time from Filing to Disposition
New Castle	401 30.2%	853.3 days	926 69.8%	470.0 days	1,327 100.0%	585.8 days
Kent	Not Applicable		Not Applicable		128 100.0%	469.2 days
Sussex	Not Applicable		Not Applicable		169 100.0%	501.0 days
State	Not Applicable		Not Applicable		1,624 100.0%	568.2 days

COMPLAINTS - ELAPSED TIME - PART TWO

	Cases Disposed of By: Trial			Default Judgment			Voluntary Dismissal			Other			TOTALS		
	No. of Disps.		Average Time from Filing to Disposition	No. of Disps.		Average Time from Filing to Disposition	No. of Disps.		Average Time from Filing to Disposition	No. of Disps.		Average Time from Filing to Disposition	No. of Disps.		Average Time from Filing to Disposition
New Castle	94	7.1%	774.3 days	125	9.4%	169.1 days	851	64.1%	574.6 days	257	19.4%	756.7 days	1,327	100.0%	585.8 days
Kent	13	10.2%	830.5 days	18	14.1%	115.4 days	80	62.5%	497.4 days	17	13.3%	434.6 days	128	100.0%	469.2 days
Sussex	14	8.3%	583.1 days	19	11.2%	82.8 days	84	49.7%	459.5 days	52	30.7%	698.6 days	169	100.0%	501.0 days
State	121	7.5%	758.2 days	162	10.0%	153.0 days	1,015	62.5%	559.0 days	326	20.1%	730.7 days	1,624	100.0%	568.2 days

Disps. = Dispositions
No. = Number

Source: New Castle County, Kent County, and Sussex County Prothonotaries' Offices

SUPERIOR COURT

FISCAL YEAR 1983
CIVIL CASES
PERFORMANCE BREAKDOWNS

MECHANIC'S LIENS AND MORTGAGES - ELAPSED TIME - PART ONE

	Cases Placed for Trial		Cases Not Placed for Trial		TOTALS	
	Number of Dispositions	Average Time from Filing to Disposition	Number of Dispositions	Average Time from Filing to Disposition	Number of Dispositions	Average Time from Filing to Disposition
New Castle	6 1.3%	923.0 days	441 98.7%	194.1 days	447 100.0%	203.9 days
Kent	Not Applicable		Not Applicable		63 100.0%	258.1 days
Sussex	Not Applicable		Not Applicable		88 100.0%	167.6 days
State	Not Applicable		Not Applicable		598 100.0%	204.3 days

MECHANIC'S LIENS AND MORTGAGES - ELAPSED TIME - PART TWO

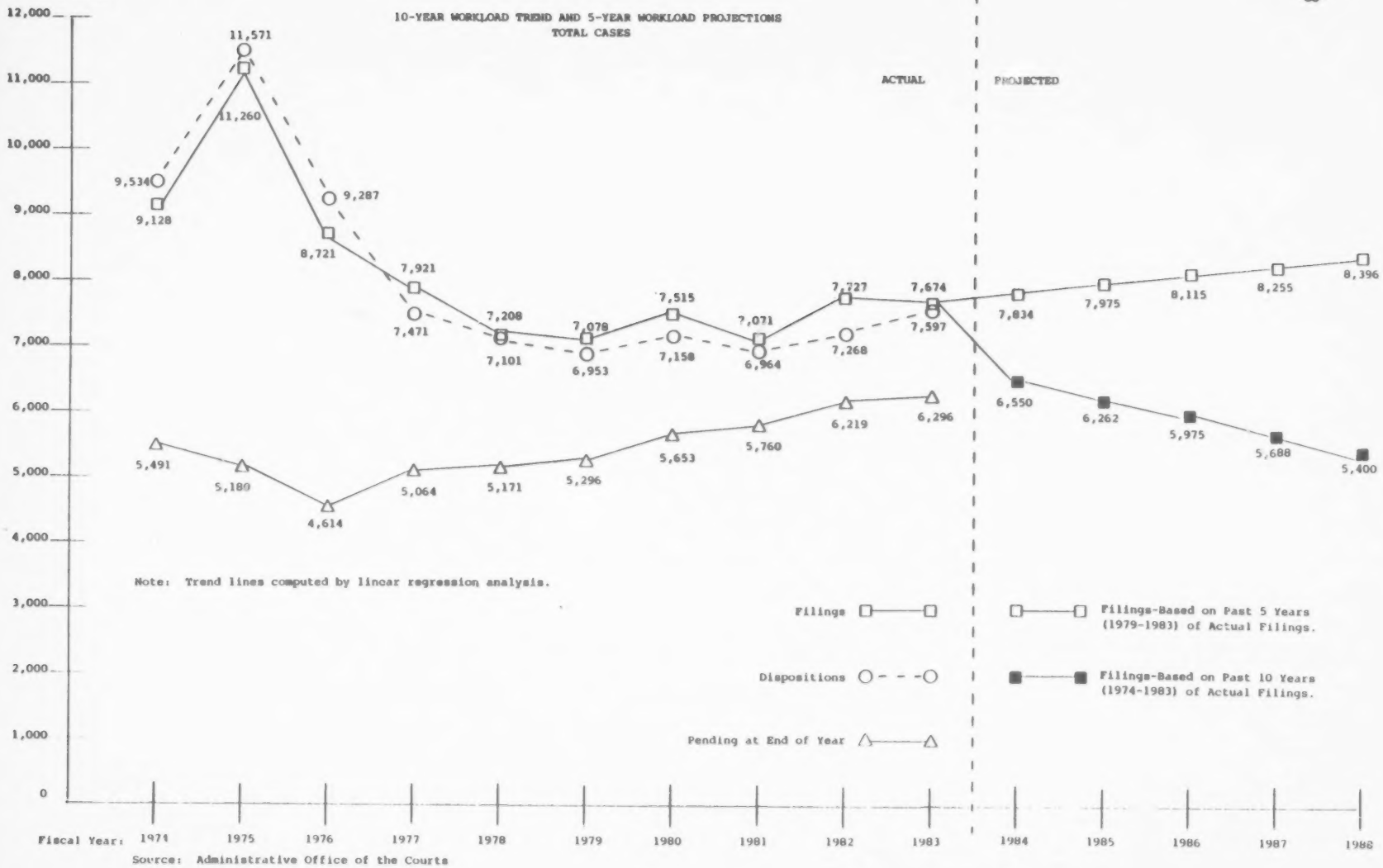
	Cases Disposed of By: Trial		Default Judgment		Voluntary Dismissal		Other		TOTALS	
	No. of Disps.	Average Time from Filing to Disposition	No. of Disps.	Average Time from Filing to Disposition	No. of Disps.	Average Time from Filing to Disposition	No. of Disps.	Average Time from Filing to Disposition	No. of Disps.	Average Time from Filing to Disposition
New Castle	4 0.9%	1,226.3 days	214 47.9%	88.5 days	186 41.6%	240.9 days	43 9.6%	523.0 days	447 100.0%	203.9 days
Kent	1 1.6%	720.0 days	39 61.9%	148.2 days	22 34.9%	440.5 days	1 1.6%	70.0 days	63 100.0%	258.1 days
Sussex	3 3.4%	230.0 days	54 61.4%	121.6 days	23 26.1%	198.0 days	8 9.1%	367.4 days	88 100.0%	167.6 days
State	8 1.3%	789.4 days	307 51.3%	101.9 days	231 38.6%	255.7 days	52 8.7%	490.3 days	598 100.0%	204.3 days

Disps. = Dispositions
No. = Number

Source: New Castle County, Kent County, and Sussex County Prothonotaries' Offices

SUPERIOR COURT

10-YEAR WORKLOAD TREND AND 5-YEAR WORKLOAD PROJECTIONS
TOTAL CASES



Source: Administrative Office of the Courts

Law Libraries

LAW LIBRARIES

The standards for the control and supervision of the three Law Libraries are set in 10 Del. Code §1941.

There are three Law Libraries located in the State of Delaware, staffed and maintained by state funds and each presided over by a Law Librarian. The libraries are named after the counties in which they are situated.

The primary function of the Law Libraries is to provide a legal information center for the Judiciary, Public Defender's Office, legal representatives of counties and municipalities, city solicitors, and members of the Delaware Bar. They are also the official depositories for state laws, administrative regulations, and court rules. The libraries are made available to registered law students to assist them in preparation for state bar examinations and in their legal education. All three libraries are designated as official depository libraries by the U.S. Government Printing Office. As state-supported agencies, the libraries are available to the general public during normal working hours. Aid and assistance is rendered to persons wishing to make use of the facilities.

The New Castle County Law Library, located in the Public Building, Wilmington, Delaware, is the busiest of the three libraries. It houses almost 30,000 books and there is presently seated working space for about 32 persons at one time. The facility is maintained and administered by a full-time Law Librarian and a part-time Library Assistant. The Kent County Law Library, due to its location, is designated as the State Library. It houses the largest legal library maintained by the state with about 35,000 volumes and is staffed by one full-time librarian and one part-time assistant. The Sussex County Law Library is staffed by one Law Librarian and houses about 14,000 volumes.

The Law Libraries are responsible for administrative library work as well as maintaining the bookkeeping records required by the State. These duties and responsibilities include but are not limited to the following: insertion of pocket parts, maintenance of loose leaf service bookkeeping for the agency's accounts, preparing invoices for library expenditures, filing and indexing reported and unreported opinions from the several courts, obtaining and filing copies of rules and regulations promulgated by the governmental agencies, maintaining of books and their monetary values, obtaining and filing statutes from the Legislative Council and other states, handling requests from various persons for information contained in the library, handling special request for research work from the judges, planning and recommending development and improvement of services, writing reports, and performing other duties associated with library work.

LAW LIBRARIES

PERSONNEL

NEW CASTLE COUNTY

New Castle County Law Library
Public Building
1020 North King Street
Wilmington, DE 19801
(571-2437; 571-2438)

Law Librarian
Rene Yucht

Library Aid
Alda Monsen

KENT COUNTY

Kent County Law Library
Kent County Courthouse
38 The Green
Dover, DE 19901
(736-5467)

Law Librarian
Carol N. Russell

Library Aid
Judy A. Skadsburg

SUSSEX COUNTY

Sussex County Law Library
Sussex County Courthouse
The Circle
Georgetown, DE 19947
(856-5483, 856-5235)

Law Librarian
Mary F. Tylecki

Family Court

FAMILY COURT

Legal Authorization

The Family Court Act, Title 10, Chapter 9, Delaware Code, authorizes the Family Court.

Geographic Organization

The Family Court is a unified statewide Court with branches in New Castle County at Wilmington, Kent County at Dover, and Sussex County at Georgetown.

Legal Jurisdiction

The Family Court has had conferred upon it by the General Assembly jurisdiction over juvenile delinquency, child neglect, dependency, and abuse, adult misdemeanor crimes against juveniles, child and spouse support, paternity of children, custody and visitation of children, divorces and annulments, terminations of parental rights and adoptions, property divisions, specific enforcement of separation agreements, guardianship over minors, imperiling the family relationship, and intra-family misdemeanor crimes.

The Family Court does not have jurisdiction over adults charged with felonies or juveniles charged with first degree murder, rape, or kidnapping.

Appeals are made on the record to Superior Court, except divorce and property settlement cases, which are appealed directly to the Supreme Court.

Judges

Number: The Court is composed of 12 judges of equal judicial authority, one of whom is Chief Judge, who is the chief administrative and executive officer for the Court. Half of the judges must be of one major political party and half of the other major political party.

Appointment: The Governor appoints the judges with the consent of the Senate.

Tenure: The judges are appointed for 12-year terms.

Qualifications: Judges must have been duly admitted to the practice of law before the Supreme Court of Delaware at least 5 years prior to appointment and must have a knowledge of the law and interest in and understanding of family and child problems. They shall not practice law during their tenure and may be reappointed.

Other Judicial Personnel

The Chief Judge appoints and commissions masters for the Court who shall hold office at his pleasure and must have resided in the State for at least 5 years prior to their appointment. Masters may hear any matters properly before them, and their decisions become judgments of the Court unless disapproved by a judge. Parties may request a review de novo by a judge, by petitioning in writing within 15 days of the master's decision.

Support Personnel

The 3 major administrative divisions of the Court are: Court Operations, Fiscal Services, and Personnel Services. Fiscal Services and Personnel Services perform staff functions, whereas Court Operations is responsible for the delivery of services to the public.

The Family Court has a staff of more than 220 persons in addition to the judiciary. The staff includes clerks of court, judicial secretaries, counselors, accounting personnel, clerks, clerk-typists, bailiffs, process servers, and hearing officers in mediation and arbitration cases, as well as volunteers working in all areas of the Court.

Caseload Trend

Filings in Family Court rose slightly in each county in FY 1983, from a statewide total of 30,850 in FY 1982 to 31,681 in FY 1983. Dispositions increased statewide by 3.6% from 30,833 in FY 1982 to 31,942 in FY 1983, as dispositions rose in all of the counties.

The filings that were pending dropped from 6,514 at the end of FY 1982 to 6,253 in all of the counties at the end of FY 1983, a 4.0% decrease. Adult criminal pending rose by 31.3%, juvenile delinquency cases pending decreased by 29.3% and civil cases pending rose by 4.2%.

FAMILY COURT

JUDICIARY

Chief Judge
Hon. Robert D. Thompson (D, 10/25/86)
Grace Davis, Secretary
(856-5301)

NEW CASTLE COUNTY

Associate Judges
Hon. Robert W. Wakefield (R, 3/16/84)
Janie Bebber, Secretary
(571-2254)
Hon. James J. Horgan (D, 9/29/88)
Kathy Mort, Secretary
(571-2229)
Hon. Jay Paul James (R, 7/31/90)
Bernadette DiFrancesco, Secretary
(571-2226)
Hon. Karl J. Parrish (D, 10/30/90)
Carol Walton, Secretary
(571-2232)
Hon. John T. Gallagher (D, 11/6/91)
Lynn Booth, Secretary
(571-3923)
Hon. Jay H. Conner (R, 12/17/93)
Dolores A. Howard, Secretary
(571-6286)
Hon. Peggy L. Ableman (D, 9/28/95)
Barbara Hedgepath, Secretary
(571-2257)
Hon. Charles K. Keil (D, 9/28/95)
Marianne H. O'Donnell, Secretary
(571-2432)

KENT COUNTY

Associate Judges
Hon. David P. Buckson (R, 4/24/87)
Ruth Potter, Secretary
(736-4565)
Hon. Roger D. Kelsey (R, 7/28/87)
Karen Price, Secretary
(736-4513)

SUSSEX COUNTY

Associate Judges
Hon. William Swain Lee (R, 7/1/89)
Mary Lu McCabe, Secretary
(856-5417)

FAMILY COURT

SUPPORT PERSONNEL

NEW CASTLE COUNTY

Family Court
Family Court Building
900 King Street
P.O. Box 2359
Wilmington, DE 19899
(571-2200)

Chief Master
David J. Haley
Margaret Hoinowski, Secretary
(571-2303)

Masters
William H. McDonough
Ellen McGaughan, Secretary
(571-2417)
Frederic H. Kenney
Evelyn Barkovic, Secretary
(571-2593)
Mary Ann Herlihy
Lynne Taylor, Secretary
(571-2212)
Susan F. Paikin
Carol Strannahan, Secretary
(571-3867)
Nathan Rosbrow

KENT COUNTY

Family Court
Arden Building
11 North Street
P.O. Box 310
Dover, DE 19901
(736-4501)

Gary E. Grubb
Carol Paisley, Secretary
(736-5031)

SUSSEX COUNTY

Family Court
Family Court Building
Race and East Pine Streets
P.O. Box 609
Georgetown, DE 19947
(856-7702)

Rosemary Betts
Mark Buckworth
Lisa Kay, Secretary
(856-5638)

FAMILY COURT

SUPPORT PERSONNEL (CONTINUED)

FOR THE STATEWIDE COURT

Director for Fiscal Services
William B. Breighner
(571-2222)

Director for Information Systems
Randall E. Williams
(571-2241)

Director for Personnel Services
Robert F. Jackson
(571-2296)

Director for Research & Planning
Emmett M. Partin
(571-2215)

Director for Treatment Services
Timothy J. Brandau
(571-2219)

NEW CASTLE COUNTY

Director
James T. Glessner
(571-2216)

KENT COUNTY

Director
James F. Truitt
(736-4297)

SUSSEX COUNTY

Director
Robert F. Stuart
(856-5515)

FAMILY COURT

FISCAL YEAR 1983
WORKLOAD SUMMARY

	Number of Filings Pending 6/30/82	New Filings	Dispositions	Pending 6/30/83	Change In Pending	% Change In Pending
New Castle	4,097	19,418	19,712	3,803	-294	- 7.2%
Kent	1,358	5,973	6,086	1,245	-113	- 8.3%
Sussex	1,059	6,290	6,144	1,205	+146	+13.8%
State	6,514	31,681	31,942	6,253	-261	- 4.0%

COMPARISON - FISCAL YEARS 1982-1983

Receipts

	Number of Filings 1982	1983	Change	% Change
New Castle	19,110	19,418	+308	+ 1.6%
Kent	5,750	5,973	+223	+ 3.9%
Sussex	5,990	6,290	+300	+ 5.0%
State	30,850	31,681	+831	+ 2.7%

Dispositions

	Number of Filings 1982	1983	Change	% Change
New Castle	19,420	19,712	+ 292	+ 1.5%
Kent	5,717	6,086	+ 369	+ 6.5%
Sussex	5,696	6,144	+ 448	+ 7.9%
State	30,833	31,942	+1,109	+ 3.6%

Source: Director for Information Systems, Family Court; Statistician, Family Court

FAMILY COURT

FISCAL YEAR 1983
TOTAL CASES
WORKLOAD
EXPLANATORY NOTES

1. The unit of count in Family Court adult criminal, juvenile delinquency, and civil cases is the filing.

2. A criminal or delinquency filling is defined as one incident filed against one individual. Each incident is counted separately, so that three incidents brought before the Court on a single individual are counted as three criminal or delinquency filings.

   a. A single criminal or delinquency filing may be comprised of single or multiple charges relating to a single incident.

   b. A criminal filing is received by the Court in the form of an information or a complaint, and a delinquency filing is received by the Court in the form of a petition or a complaint.

3. A civil filing is defined as a single civil incident filed with Family Court. A civil incident is initiated by a petition. In the instance of a divorce, although the petition may contain multiple matters ancillary to the divorce, each petition is counted as one filing.

FAMILY COURT

FISCAL YEAR 1983
ADULT CRIMINAL CASES
WORKLOAD SUMMARY

	Number of Filings: Pending 6/30/82	New Filings	Dispositions	Pending 6/30/83	Change In Pending	% Change In Pending
New Castle	64	1,747	1,663	148	+ 84	+131.3%
Kent	93	418	452	59	- 34	- 36.6%
Sussex	41	439	427	53	+ 12	+ 29.3%
State	198	2,604	2,542	260	+ 62	+ 31.3%

COMPARISON - FISCAL YEARS 1982-1983
ADULT CRIMINAL CASES
WORKLOAD

Receipts

	Number of Filings: 1982	1983	Change	% Change
New Castle	1,758	1,747	- 11	- 0.6%
Kent	399	418	+ 19	+ 4.8%
Sussex	411	439	+ 28	+ 6.8%
State	2,568	2,604	+ 36	+ 1.4%

Dispositions

	Number of Filings: 1982	1983	Change	% Change
New Castle	1,878	1,663	-215	-11.4%
Kent	358	452	+ 94	+26.3%
Sussex	397	427	+ 30	+ 7.6%
State	2,633	2,542	- 91	- 3.5%

Source: Director for Information Systems, Family Court; Statistician, Family Court

FAMILY COURT

FISCAL YEAR 1983
JUVENILE DELINQUENCY CASES
WORKLOAD SUMMARY

	Number of Filings					
	Pending 6/30/82	New Filings	Dispositions	Pending 6/30/83	Change In Pending	% Change In Pending
New Castle	1,271	5,120	5,483	908	-363	-28.6%
Kent	188	1,023	1,057	154	- 34	-18.1%
Sussex	293	1,388	1,504	177	-116	-39.6%
State	1,752	7,531	8,044	1,239	-513	-29.3%

COMPARISON - FISCAL YEARS 1982-1983
JUVENILE DELINQUENCY CASES
WORKLOAD

Receipts

	Number of Filings			
	1982	1983	Change	% Change
New Castle	6,039	5,120	- 919	-15.2%
Kent	1,172	1,023	- 149	-12.7%
Sussex	1,301	1,388	+ 87	+ 6.7%
State	8,512	7,531	- 981	-11.5%

Dispositions

	Number of Filings			
	1982	1983	Change	% Change
New Castle	6,255	5,483	- 772	-12.3%
Kent	1,266	1,057	- 209	-16.5%
Sussex	1,176	1,504	+ 328	+27.9%
State	8,697	8,044	- 653	- 7.5%

Source: Director for Information Systems, Family Court; Statistician, Family Court

FAMILY COURT

FISCAL YEAR 1983
JUVENILE DELINQUENCY CASES
WORKLOAD BREAKDOWNS

RECEIPTS

	Number of Filings			
	Felony	Misdemeanor	Traffic	TOTALS
New Castle	1,165 22.8%	3,694 72.1%	261 5.1%	5,120 100.0%
Kent	183 17.9%	730 71.4%	110 10.8%	1,023 100.0%
Sussex	321 23.1%	956 68.9%	111 8.0%	1,388 100.0%
State	1,669 22.2%	5,380 71.4%	482 6.4%	7,531 100.0%

DISPOSITIONS

	Number of Filings			
	Felony	Misdemeanor	Traffic	TOTALS
New Castle	1,245 22.7%	3,902 71.2%	336 6.1%	5,483 100.0%
Kent	220 20.8%	734 69.4%	103 9.7%	1,057 100.0%
Sussex	293 19.5%	1,053 70.0%	158 10.5%	1,504 100.0%
State	1,758 21.9%	5,689 70.7%	597 7.4%	8,044 100.0%

PENDING AT END OF YEAR

	Number of Filings			
	Felony	Misdemeanor	Traffic	TOTALS
New Castle	251 27.6%	583 64.2%	74 8.1%	908 100.0%
Kent	19 12.3%	110 71.4%	25 16.2%	154 100.0%
Sussex	54 30.5%	108 61.0%	15 8.5%	177 100.0%
State	324 26.2%	801 64.6%	114 9.2%	1,239 100.0%

CHANGE IN PENDING

	Number of Filings			
	Felony	Misdemeanor	Traffic	TOTALS
New Castle	- 80	-208	- 75	-363
Kent	- 37	- 4	+ 7	- 34
Sussex	+ 28	- 97	- 47	-116
State	- 89	-309	-115	-513

Source: Director for Information Systems, Family Court; Statistician, Family Court

FAMILY COURT

FISCAL YEAR 1983
CIVIL CASES
WORKLOAD SUMMARY

	Civil Filings Pending 6/30/82	New Filings	Dispositions	Pending 6/30/83	Change In Pending	% Change in Pending
New Castle	2,762	12,551	12,566	2,747	- 15	- 0.5%
Kent	1,077	4,532	4,577	1,032	- 45	- 4.2%
Sussex	725	4,463	4,213	975	+250	+34.5%
State	4,564	21,546	21,356	4,754	+190	+ 4.2%

COMPARISON - FISCAL YEARS 1982-1983

Receipts

	1982	1983	Change	% Change
New Castle	11,313	12,551	+1,238	+10.9%
Kent	4,179	4,532	+ 353	+ 8.4%
Sussex	4,278	4,463	+ 185	+ 4.3%
State	19,770	21,546	+1,776	+ 9.0%

Dispositions

	1982	1983	Change	% Change
New Castle	11,287	12,566	+1,279	+11.3%
Kent	4,093	4,577	+ 484	+11.8%
Sussex	4,123	4,213	+ 90	+ 2.2%
State	19,503	21,356	+1,853	+ 9.5%

Source: Director of Information Systems, Family Court; Statistician, Family Court

FAMILY COURT

FISCAL YEAR 1983
CIVIL CASES
WORKLOAD BREAKDOWNS

RECEIPTS

	Divorces and Annulments		Divorce Ancillary Matters		New Non-Support		Support Arrearages		Support Modifications		Custody	
New Castle	2,177	17.3%	1,173	9.3%	2,986	23.8%	1,367	10.9%	809	6.4%	1,361	10.8%
Kent	719	15.9%	290	6.4%	1,056	23.3%	594	13.1%	279	6.2%	826	18.2%
Sussex	604	13.5%	169	3.8%	1,046	23.4%	588	13.2%	694	15.6%	747	16.7%
State	3,500	16.2%	1,632	7.6%	5,088	23.6%	2,549	11.8%	1,782	8.3%	2,934	13.6%

	Visitation		Imperiling Family Relations		Adoptions		Terminations of Parental Rights		Miscellaneous		TOTALS	
New Castle	428	3.4%	738	5.9%	156	1.2%	93	0.7%	1,263	10.1%	12,551	100.0%
Kent	183	4.0%	111	2.4%	36	0.8%	23	0.5%	415	9.2%	4,532	100.0%
Sussex	134	3.0%	89	2.0%	39	0.9%	23	0.5%	330	7.4%	4,463	100.0%
State	745	3.5%	938	4.4%	231	1.1%	139	0.6%	2,008	9.3%	21,546	100.0%

DISPOSITIONS

	Divorces and Annulments		Divorce Ancillary Matters		New Non-Support		Support Arrearages		Support Modifications		Custody	
New Castle	2,127	16.9%	1,125	8.9%	2,980	23.7%	1,452	11.6%	869	6.9%	1,443	11.5%
Kent	716	15.6%	304	6.6%	998	21.8%	632	13.8%	304	6.6%	867	18.9%
Sussex	589	14.0%	133	3.2%	1,038	24.6%	550	13.0%	639	15.2%	735	17.4%
State	3,432	16.1%	1,562	7.3%	5,016	23.5%	2,634	12.3%	1,812	8.5%	3,045	14.3%

	Visitation		Imperiling Family Relations		Adoptions		Terminations of Parental Rights		Miscellaneous		TOTALS	
New Castle	465	3.7%	742	5.9%	146	1.2%	89	0.7%	1,128	9.0%	12,566	100.0%
Kent	177	3.9%	124	2.7%	46	1.0%	30	0.7%	379	8.3%	4,577	100.0%
Sussex	124	2.9%	84	2.0%	51	1.2%	24	0.6%	246	5.8%	4,213	100.0%
State	766	3.6%	950	4.4%	243	1.1%	143	0.7%	1,753	8.2%	21,356	100.0%

Source: Director of Information Systems, Family Court; Statistician, Family Coourt

FAMILY COURT

FISCAL YEAR 1983
CIVIL CASES
WORKLOAD BREAKDOWNS (CONTINUED)

PENDING AT END OF YEAR

	Divorces and Annulments	Divorce Ancillary Matters	New Non-Support	Support Arrearages	Support Modifications	Custody
New Castle	599 21.8%	704 25.6%	516 18.8%	253 9.2%	101 3.7%	172 6.3%
Kent	249 24.1%	76 7.4%	228 22.1%	125 12.1%	49 4.7%	147 14.2%
Sussex	183 18.8%	146 15.0%	192 19.7%	116 11.9%	83 8.5%	89 9.1%
State	1,031 21.7%	926 19.5%	936 19.7%	494 10.4%	233 4.9%	408 8.6%

	Visitation	Imperiling Family Relations	Adoptions	Terminations of Parental Rights	Miscellaneous	TOTALS
New Castle	81 2.9%	64 2.3%	52 1.9%	43 1.6%	162 5.9%	2,747 100.0%
Kent	32 3.1%	11 1.1%	20 1.9%	13 1.3%	82 7.9%	1,032 100.0%
Sussex	32 3.3%	9 0.9%	19 1.9%	19 1.9%	87 8.9%	975 100.0%
State	145 3.0%	84 1.8%	91 1.9%	75 1.6%	331 7.0%	4,754 100.0%

CHANGE IN PENDING

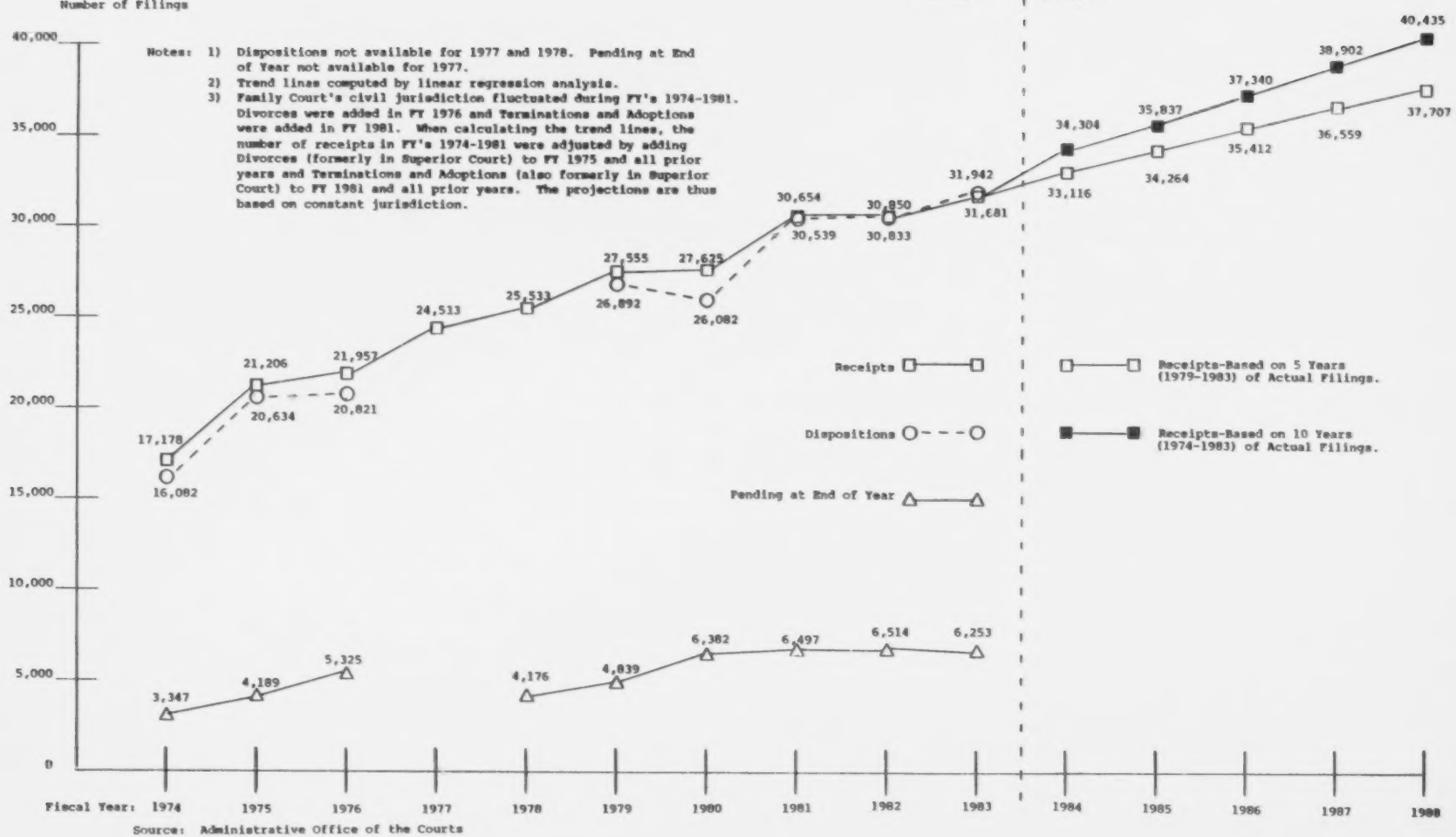
	Divorces and Annulments	Divorce Ancillary Matters	New Non-Support	Support Arrearages	Support Modifications	Custody
New Castle	+50	+48	+ 6	-85	-60	- 82
Kent	+ 3	-14	+58	-38	-25	- 41
Sussex	+15	+36	+ 8	+38	+55	+ 12
State	+68	+70	+72	-85	-30	-111

	Visitation	Imperiling Family Relations	Adoptions	Terminations of Parental Rights	Miscellaneous	TOTALS
New Castle	-37	- 4	+10	+ 4	+135	- 15
Kent	+ 6	-13	-10	- 7	+ 36	- 45
Sussex	+10	+ 5	-12	- 1	+ 84	+250
State	-2i	-12	-12	- 4	+255	+190

Source: Director for Information Systems, Family Court; Statistician, Family Court

FAMILY COURT

10-YEAR WORKLOAD TREND AND 5-YEAR WORKLOAD PROJECTIONS
TOTAL FILINGS



Source: Administrative Office of the Courts

Court of Common Pleas

COURT OF COMMON PLEAS

Legal Authorization

The statewide Court of Common Pleas was created by 10 Delaware Code, Chapters 13, 15, and 16, effective July 5, 1973.

Geographic Organization

The Court of Common Pleas sits in each of the three counties at the respective county seats.

Legal Jurisdiction

The Court of Common Pleas has statewide jurisdiction which includes concurrent jurisdiction with Superior Court in civil actions where the amount involved, exclusive of interest, does not exceed $15,000 on the complaint. There is no limitation in amount on counterclaim. All civil cases are tried without a jury.

The Court has criminal jurisdiction over all misdemeanors occurring in the State of Delaware except drug-related cases (other than possession of marijuana), and those occurring within the corporate limits of the City of Wilmington. It also is responsible for all preliminary hearings. Jury trial is available to all defendants but in New Castle County jury trials are referred to Superior Court for disposition.

Judges

There are five Judges of the Court of Common Pleas, one Chief Judge and four Resident Judges. The Judges are appointed by the governor with the consent of the Senate for 12 year terms and must have been actively engaged in the general practice of law in the State of Delaware for at least five years and must be citizens of the State. No more than a majority of one judge may be from the same political party.

Support Personnel

Personnel are appointed by the Chief Judge of the Court of Common Pleas, and consist of a Court Administrator (Chief Clerk), one Chief Deputy Clerk for each county, and such other employees as are necessary, including Bailiffs, Court Reporters, Secretaries, Clerks, Presentence Officers, etc.

Caseload Trend

FY 1983 saw yet another substantial rise in criminal cases which came to the Court of Common Pleas. The 14,704 criminal filings in FY 1983 was a 19.1% increase from the 12,345 criminal filings in FY 1982. Since FY 1978, when there were 6,534 criminal filings, there has been an increase of just over 125% to the number of criminal filings in FY 1983. Pending increased by 17.4% in FY 1983, rising from 1,807 to 2,122 despite an increase in dispositions. The increase from 12,284 criminal dispositions in FY 1982 to 14,389 criminal

dispositions in FY 1983 was a rise of +17.1%. Criminal dispositions have risen by about 125% (even as have criminal filings) between FY 1978, when there were 6,394 criminal dispositions, and FY 1983.

Civil case filings rose slightly between FY 1982 and FY 1983, showing a change of +1.3% from the 3,950 civil filings in FY 1982 to the 4,002 civil filings in FY 1983. Civil dispositions fell by 8.4% in FY 1983 from the record 4,049 in FY 1982 to 3,710 in FY 1983, and as a result, civil pending rose by 11,6% during FY 1983 from 2,523 to 2,815.

The totals for the Court of Common Pleas during FY 1982 were 16,295 filings, 16,333 dispositions, and 4,330 pending at year's end. For FY 1983, there were 18,706 filings, 18,099 dispositions, and 4,037 pending at year's end. These represent increases for FY 1983 of 14.8% in filings and 10.8% i dispositions. The net resulting increase in pending at the end of FY 1983 was 14.0%.

COURT OF COMMON PLEAS
(As of 9/30/83)

JUDICIARY

NEW CASTLE COUNTY

Chief Judge
Hon. Robert H. Wahl (D, 10/6/83)
Beulah D. Goldsborough, Secretary
(571-2412)

Resident Judge
Hon. Arthur F. DiSabatino (R, 10/6/83)
Margaret Renai, Secretary
(571-2411)
Hon. William C. Bradley, Jr. (D, 9/29/88)
Peggy Papili, Secretary
(571-2410)

KENT COUNTY

Resident Judge
Hon. Merrill C. Trader (R, 9/12/84)
Mary Elyn Massey, Secretary
(736-4617)

SUSSEX COUNTY

Resident Judge
Hon. Paul E. Ellis (D, 4/18/85)
Katherine Truitt, Secretary
(856-5333)

Court Administrator (571-2804)
Carole B. Kirshner
Sharon Berkowitz, Secretary

NEW CASTLE COUNTY (571-2430)	KENT COUNTY (736-4618)	SUSSEX COUNTY (856-5333)
Clerk's Offices		
Frederick Kirch, Clerk	Ruth Biddle, Clerk	Doris Wilkins, Clerk
Angeline M. Pineault	Anna Benton	Jean Henry
Phyllis Feingold	Frances Bergold	Joyce Betts
Catherine Wharton	Teresa Lindale	
Elizabeth Jonkiert	Suzanne Brode	
Karen Gallagher		
Mary Pasquale		
Cynthia Reinholz		
Joan Chalmers		
Mary Lou McNulty		
Philip Saxon, Jr.		
Kathleen Murphy		
Deborah Howbray		
Ada Baker		
Court Reporters (571-2863)		
Carol Schatzman	Sheila Dougherty	Raymond Kenney
Jacalyn Anatey	Terri Chippie, Typist	Vera Elliott, Typist
Cheryl Simmons		
C. Marie Fontello, Typist		
Presentence Officers (571-3834)		**Alcohol Coordinating Counselor**
John Jaremchuk, Jr., Chief		Dallas Fleetwood
Carolyn DiMauro		
Alan Haase		
Stacy Person		
Robert McGee, Investigator		
Renee Coddington, Secretary		
Bailiffs		
Richard Hurst	David Reid	Donald Beebe
William Arterbridge	Mary McFaul	R. Burton Hicks
Diane Korolog		
Jason Carros		
Allan Rogers, Security Officer		

COURT OF COMMON PLEAS

FISCAL YEAR 1983
CRIMINAL CASES*
WORKLOAD SUMMARY

	Pending 6/30/82	Filings	Dispositions	Pending 6/30/83	Change In Pending	% Change In Pending
New Castle	1,125	9,440	9,208	1,357	+232	+20.6%
Kent	255	2,009	2,054	210	- 45	-17.6%
Sussex	427	3,255	3,127	555	+128	+30.0%
State	1,807	14,704	14,389	2,122	+315	+17.4%

COMPARISON - FISCAL YEARS 1982-1983
CRIMINAL CASES*
WORKLOAD

FILINGS

	1982	1983	Change	% Change
New Castle	7,857	9,440	+1,583	+20.1%
Kent	1,774	2,009	+ 235	+13.2%
Sussex	2,714	3,255	+ 541	+19.9%
State	12,345	14,704	+2,359	+19.1%

DISPOSITIONS

	1982	1983	Change	% Change
New Castle	7,908	9,208	+1,300	+16.4%
Kent	1,700	2,054	+ 354	+20.8%
Sussex	2,676	3,127	+ 451	+16.9%
State	12,284	14,389	+2,105	+17.1%

*The unit of count for criminal cases is the charge. For example, a defendant brought before the court on 3 charges would be counted as 3 cases.

Source: Court Administrator, Court of Common Pleas

COURT OF COMMON PLEAS

FISCAL YEAR 1983
CRIMINAL CASES*
WORKLOAD BREAKDOWNS

Filings

	Original**	Optional Transfers#	Mandatory Transfers##	Reduced to Misdemeanor●	TOTALS	Preliminary Hearings
New Castle	402 4.3%	8,064 85.4%	667 7.1%	307 3.3%	9,440 100.0%	3,771
Kent	179 8.9%	1,581 78.7%	195 9.7%	54 2.7%	2,009 100.0%	1,120
Sussex	105 3.2%	2,407 73.9%	460 14.1%	283 8.7%	3,255 100.0%	1,720
State	686 4.7%	12,052 82.0%	1,322 9.0%	644 4.4%	14,704 100.0%	6,611

Dispositions

	Jury	Non-Jury	TOTALS
New Castle	0 0.0%	9,208 100.0%	9,208 100.0%
Kent	81 3.9%	1,973 96.1%	2,054 100.0%
Sussex	6 0.2%	3,121 99.8%	3,127 100.0%
State	87 0.6%	14,302 99.4%	14,389 100.0%

Pending At End Of Year

	Capiases	Other●●	TOTALS
New Castle	525 38.7%	832 61.3%	1,357 100.0%
Kent	34 16.2%	176 83.8%	210 100.0%
Sussex	84 15.1%	471 84.9%	555 100.0%
State	643 30.3%	1,479 69.7%	2,122 100.0%

Change In Pending

	Capiases	Other●●	TOTALS
New Castle	+19	+213	+232
Kent	- 7	- 38	- 45
Sussex	+ 3	+125	+128
State	+15	+300	+315

*The unit of count in criminal cases is the charge. For example, a defendant brought before the Court on 3 charges would be counted as 3 cases.

**Charges filed initially in the Court of Common Pleas.

#Charges filed originally in Justice of the Peace Courts which were transferred to the Court of Common Pleas at the option of the defendant.

##Charges originally filed in Justice of the Peace Courts which by statute must be transferred to the Court of Common Pleas.

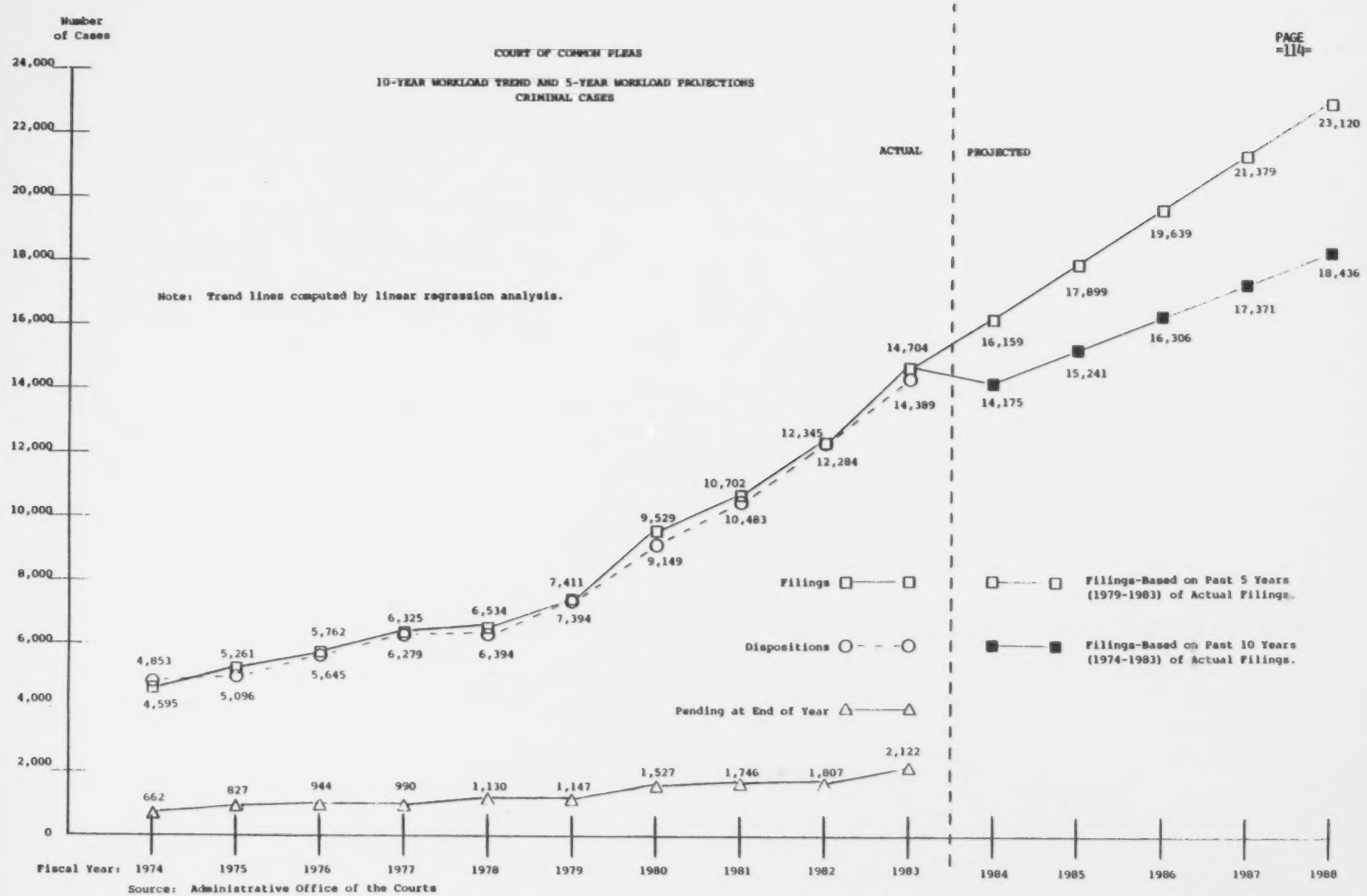
●Felony charges brought before the Court of Common Pleas for preliminary hearing which are reduced to misdemeanors and plead guilty to.

●●Includes triable cases and first offenders undergoing rehabilitation according to the Driving Under the Influence statute.

Source: Court Administrator, Court of Common Pleas

COURT OF COMMON PLEAS

10-YEAR WORKLOAD TREND AND 5-YEAR WORKLOAD PROJECTIONS
CRIMINAL CASES



Source: Administrative Office of the Courts

COURT OF COMMON PLEAS

FISCAL YEAR 1983
PRESENTENCE OFFICE
WORKLOAD SUMMARY

	Pending 6/30/82	Investigations Ordered	Investigations Completed*	Pending 6/30/83	Change In Pending	% Change In Pending
New Castle	97	418	436	79	-18	-18.6%
Kent**	3	46	44	5	+ 2	+66.7%
Sussex**	14#	43	44	13	- 1	- 7.1%
State	114#	507	524	97	-17	-14.9%

COMPARISON - FISCAL YEARS 1982-1983
PRESENTENCE OFFICE
WORKLOAD

Investigations Ordered

	1982	1983	Change	% Change
New Castle	413	418	+ 5	+ 1.2%
Kent**	54	46	- 8	- 14.8%
Sussex**	48	43	- 5	- 10.4%
State	515	507	- 8	- 1.6%

Investigations Completed*

	1982	1983	Change	% Change
New Castle	383	436	+53	+ 13.8%
Kent**	53	44	- 9	- 17.0%
Sussex**	44	44	0	0.0%
State	480	524	+44	+ 9.2%

*An investigation is considered completed when it has been written and typed.
**Presentence investigations for the Court of Common Pleas in Kent and Sussex Counties are done by the Superior Court Presentence Office.
#Adjusted from 1982 Annual Report.

Source: Court Administrator, Court of Common Pleas; Superior Court Presentence Offices, Kent and Sussex Counties

COURT OF COMMON PLEAS

FISCAL YEAR 1983
PRESENTENCE OFFICE
PERFORMANCE

	No. of Defendants Sentenced After Presentence Investigation	Average Time From Date Ordered to Date Written	Average Time From Date Written to Date Typed	Average Time From Date Ordered to Date Typed	Average Time From Date Typed to Date Sentenced	Average Time From Date Ordered to Date Sentenced
New Castle	441	37.3 days	0.6 days	37.9 days	2.8 days	40.7 days
Kent	N.A.	N.A.	N.A.	N.A.	N.A.	N.A.
Sussex	N.A.	N.A.	N.A.	N.A.	N.A.	N.A.
State	N.A.	N.A.	N.A.	N.A.	N.A.	N.A.

PRODUCTIVITY

	INVESTIGATIONS			TYPING		
	Number of Investigations Written	Number of Investigators Available	Average Number Completed Per Investigator	Number of Investigations Typed	Number of Typists Available	Average Number Typed Per Typist
New Castle	436	3.50	10.4/mo.,124.6/yr.	436	1.0	36.3/mo.,436.0/yr.
Kent	N.A.	N.A.	N.A.	N.A.	N.A.	N.A.
Sussex	N.A.	N.A.	N.A.	N.A.	N.A.	N.A.
State	N.A.	N.A.	N.A.	N.A.	N.A.	N.A.

No. = Number
N.A. = Not Available

Source: Court Administrator, Court of Common Pleas

COURT OF COMMON PLEAS

FISCAL YEAR 1983
CIVIL CASES
WORKLOAD SUMMARY

	Pending 6/30/82	Filings	Dispositions	Pending 6/30/83	Change In Pending	% Change In Pending
New Castle	2,151	3,114	2,832	2,433	+282	+13.1%
Kent	181	381	391	171	- 10	- 5.5%
Sussex	191	507	487	211	+ 20	+10.5%
State	2,523	4,002	3,710	2,815	+292	+11.6%

COMPARISON - FISCAL YEARS 1982-1983
CIVIL CASES
WORKLOAD

Filings

	1982	1983	Change	% Change
New Castle	2,937	3,114	+177	+ 6.0%
Kent	464	381	- 83	-17.9%
Sussex	549	507	- 42	- 7.7%
State	3,950	4,002	+ 52	+ 1.3%

Dispositions

	1982	1983	Change	% Change
New Castle	2,996	2,832	-164	- 5.5%
Kent	484	391	- 93	-19.2%
Sussex	569	487	- 82	-14.4%
State	4,049	3,710	-339	- 8.4%

Source: Court Administrator, Court of Common Pleas

COURT OF COMMON PLEAS

FISCAL YEAR 1983
CIVIL CASES
WORKLOAD BREAKDOWNS

Filings

	Complaints*		Miscellaneous**		TOTALS	
New Castle	2,899	93.1%	215	6.9%	3,114	100.0%
Kent	346	90.8%	35	9.2%	381	100.0%
Sussex	478	94.3%	29	5.7%	507	100.0%
State	3,723	93.0%	279	7.0%	4,002	100.0%

Dispositions

	By Court		By Counsel		TOTALS	
New Castle	716	25.3%	2,116	74.7%	2,832	100.0%
Kent	133	34.0%	258	66.0%	391	100.0%
Sussex	153	31.4%	334	68.6%	487	100.0%
State	1,002	27.0%	2,708	73.0%	3,710	100.0%

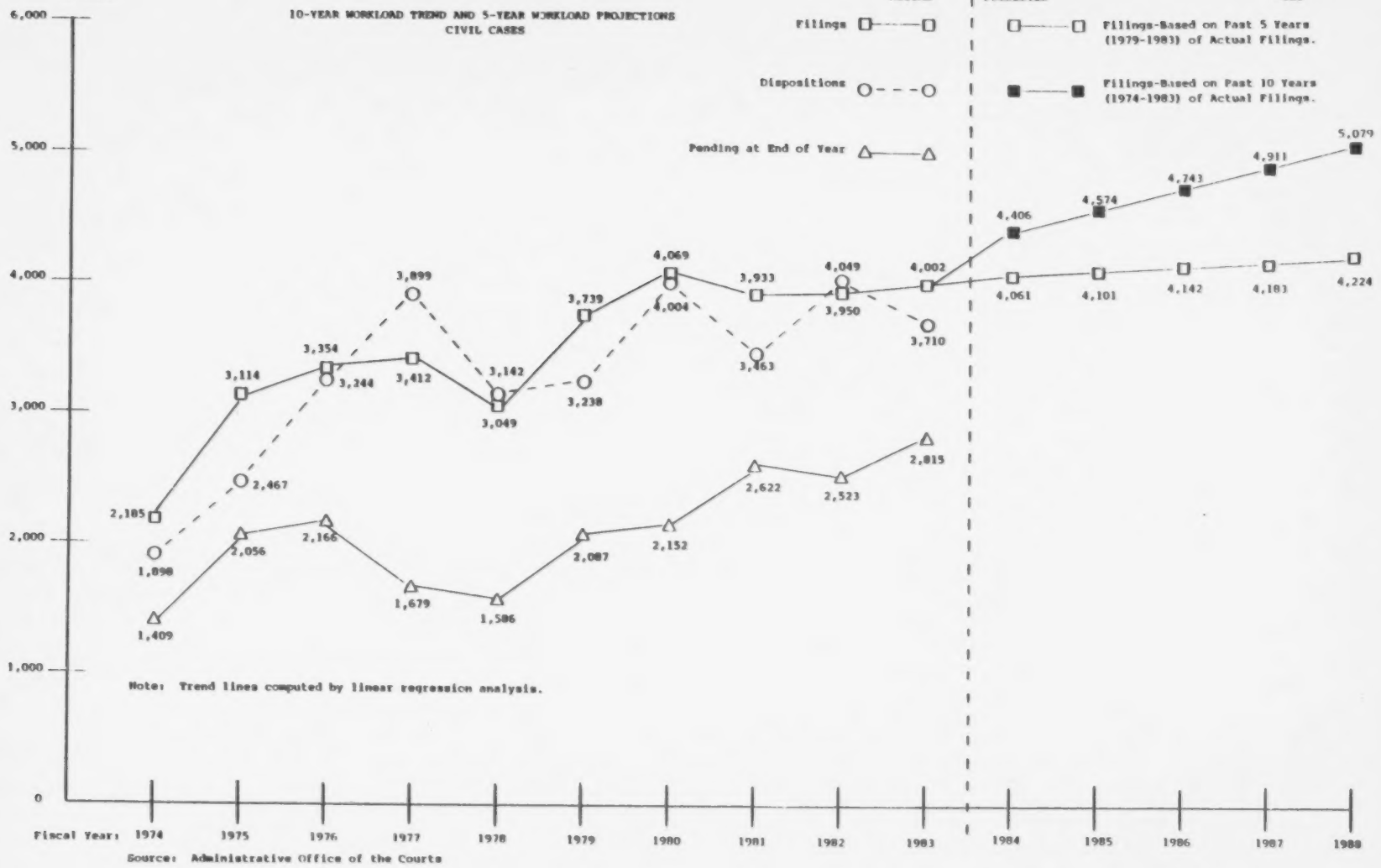
*The Complaints category includes Complaints for Damages, Replevins, Foreign Attachments, and Domestic Attachments.

**The Miscellaneous category includes Civil Judgments and Petitions for Name Change.

Source: Court Administrator, Court of Common Pleas

COURT OF COMMON PLEAS

10-YEAR WORKLOAD TREND AND 5-YEAR WORKLOAD PROJECTIONS
CIVIL CASES

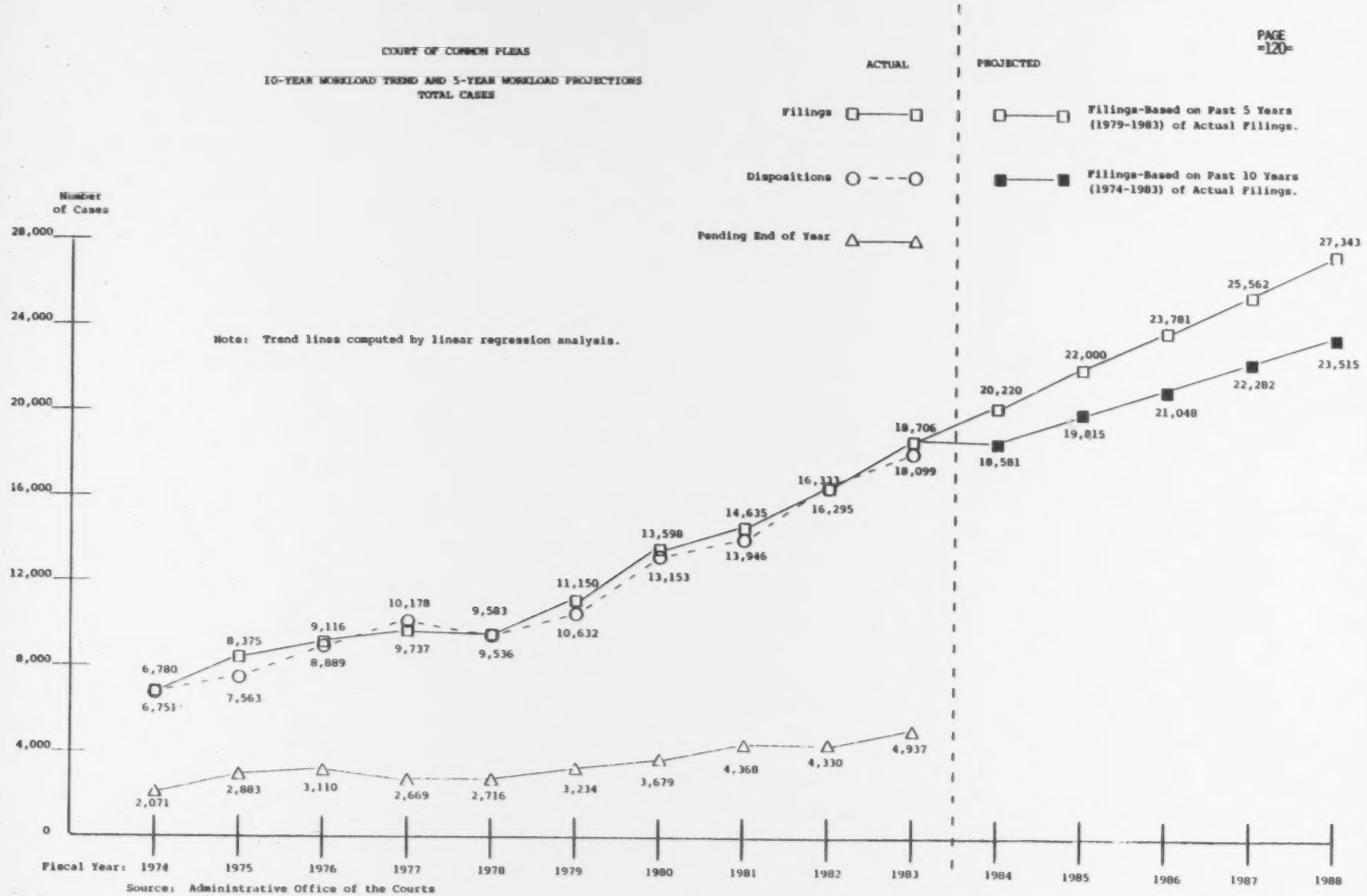


Note: Trend lines computed by linear regression analysis.

Source: Administrative Office of the Courts

COURT OF COMMON PLEAS

10-YEAR WORKLOAD TREND AND 5-YEAR WORKLOAD PROJECTIONS
TOTAL CASES



Source: Administrative Office of the Courts

Municipal Court

MUNICIPAL COURT

Legal Authorization

The Municipal Court of the City of Wilmington is authorized by 10 Delaware Code, Chapter 17.

Geographic Organization

The Court has jurisdiction within the geographic boundaries of Wilmington.

Legal Jurisdiction

Municipal Court has criminal jurisdiction over traffic, misdemeanor, and municipal ordinances concurrent with the Justices of the Peace and the Court of Common Pleas. The Court conducts preliminary hearings for both felonies and drug-related misdemeanors. Jury trials are not available. The Court has a Violations Division which processes all moving and parking citations.

Judges

Number	- There are 3 Judges of the Municipal Court of Wilmington; not more than 2 of the Judges may be members of the same political party.
Appointment	- The Judges are appointed by the Governor, with the approval by the Senate.
Tenure	- Judges are appointed for 12-year terms.
Qualifications	- The Judges must be licensed to practice law in the State of Delaware for 5 years preceding appointment.

Support Personnel

The Chief Judge of the Municipal Court appoints a Chief Clerk who may in turn appoint Deputies.

Caseload Trend

The 9,867 criminal cases filed in the Municipal Court during FY 1983 was 156 more than the 9,711 criminal filings from FY 1982. This represents a percentage rise of 1.6%. The 9,972 criminal dispositions in FY 1983 was an increase of 493 dispositions from the 9,479 criminal dispositions in FY 1982, a percentage change of +5.2%.

While the criminal filing and disposition totals may have increased only slightly in FY 1983, however, the totals for traffic cases soared sharply at the same time. Filings rose from 8,484 in FY 1982 to 14,469 in FY 1983, a jump of nearly 6,000 filings which represented a percentage increase of 70.5%. Dispositions in traffic cases rose by about the same amount, increasing from 8,550 in FY 1982 to 14,469 in FY 1983. This increase of 5,961 dispositions resulted in a percentage change of +69.7%.

The change in the workload of Municipal Court from one in which almost two-thirds of the cases filed were traffic cases (66.1% in FY 1979) to one in which less than one-half of the cases filed were traffic cases (46.6% in FY 1982) was a dramatic shift. It reversed in FY 1983 when almost 60% (59.5%) of the cases filed in Municipal Court were traffic cases.

Totals for both filings and dispositions increased in FY 1983. Total filings increased by 33.8% from 18,195 in FY 1982 to 24,336 in FY 1983. Total dispositions rose even more sharply, increasing by 35.8% from 18,209 in FY 1982 to 24,483 in FY 1983. The net result was a fall in year's end pending of 8.7%, from 1,698 at the end of FY 1982 to 1,551 at the end of FY 1983.

MUNICIPAL COURT

Public Building
1000 King Street
Wilmington, Delaware 19801
(571-4530)

JUDICIARY

Chief Judge

Hon. Alfred R. Fraczkowski (R, 6/10/94)
Karen A. Jones, Executive Secretary
(571-4550)

Associate Judges

Hon. Carl Goldstein (R, 6/30/94)
Joyce Vietri, Secretary
(571-4551)

Hon. Leonard L. Williams (D, 6/4/78)
(571-4551)

MUNICIPAL COURT

SUPPORT PERSONNEL

Court Commissioners
Charles R. Lee, Clerk of Court
(571-4534)
T. Roger Barton
(571-4540)
Richard O. Douglas
(571-4540)
Furio R. Casale
(571-4540)
Lawrence L. Fitchett
(571-4540)
Carolyn A. Carroll, Secretary
(571-4534)

Law Clerks
John Sullivan

Process Servicer
Margeurite Johnson

Bailiffs
David Dempsey
Gerald Nolan
Cornelius Morris
William Santiago

Criminal Clerical Staff
Josephine Smulski
Kathy Holstein
Mary E. Devine
Diane DeCusatis
Debra Butcher
Evelyn Smith
Shelly Watson

Traffic Violation Staff
Shirley Cohen
Carolyn Sylvester
Ann Collins
Kimberly Betz

MUNICIPAL COURT

FISCAL YEAR 1983
WORKLOAD SUMMARY*

	Pending 6/30/82	Filings	Dispositions	Pending 6/30/83	Change In Pending	% Change In Pending
Criminal	1,019	9,867	9,972	914	-105	-10.3%
Traffic	679	14,469	14,511	637	- 42	- 6.2%
TOTALS	1,698	24,336	24,483	1,551	-147	- 8.7%

COMPARISON - FISCAL YEARS 1982-1983
WORKLOAD*

Filings

	1982	1983	Change	% Change
Criminal	9,711	9,867	+ 156	+ 1.6%
Traffic	8,484	14,469	+5,985	+70.5%
TOTALS	18,195	24,336	+6,141	+33.8%

Dispositions

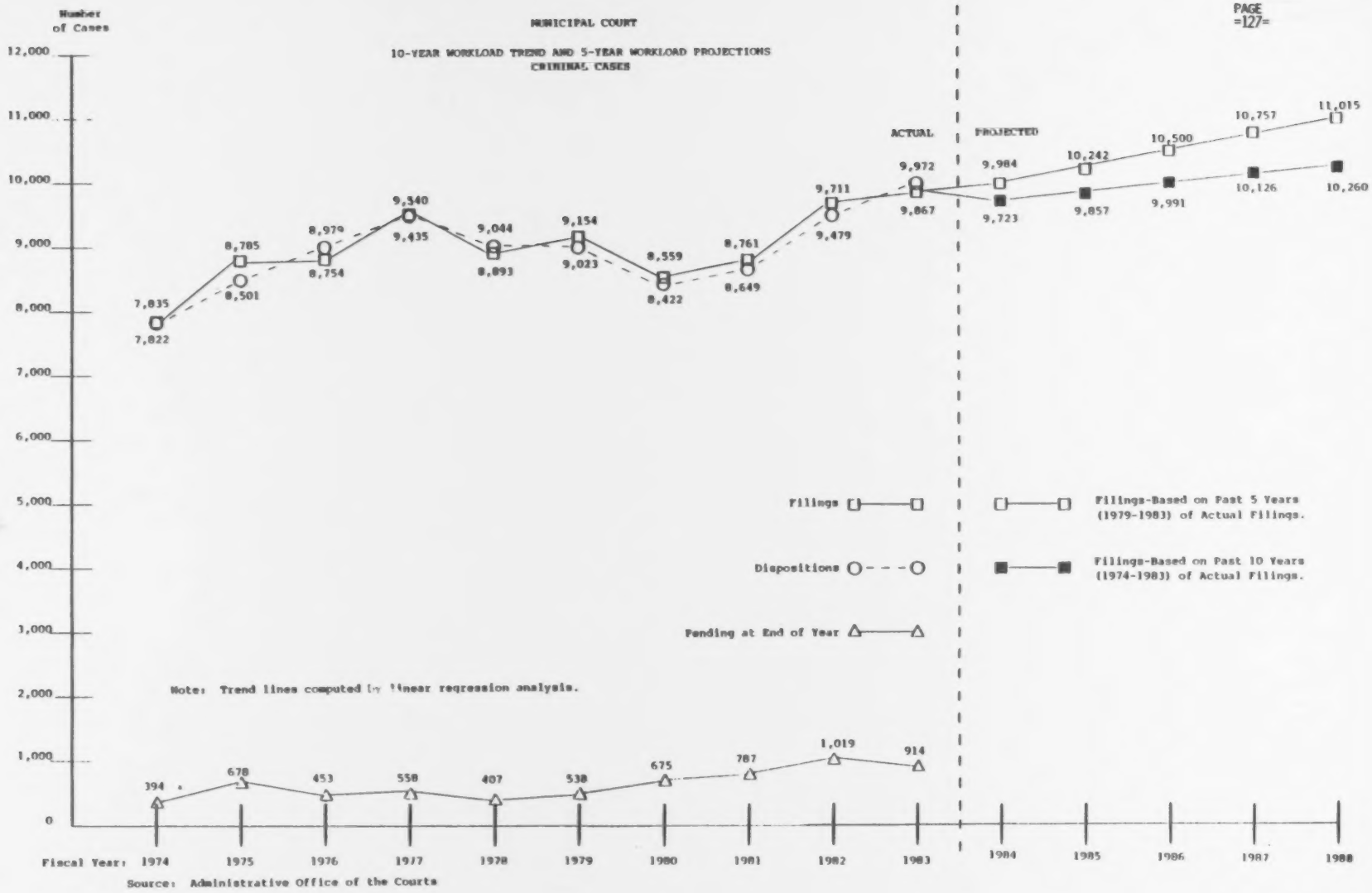
	1982	1983	Change	% Change
Criminal	9,479	9,972	+ 493	+ 5.2%
Traffic	8,550	14,511	+5,961	+69.7%
TOTALS	18,029	24,483	+6,454	+35.8%

*The unit of count in Municipal Court is the charge. For example, a defendant brought before the Court on 3 charges would be counted as 3 cases.

Source: Chief Court Commissioner, Municipal Court

MUNICIPAL COURT

10-YEAR WORKLOAD TREND AND 5-YEAR WORKLOAD PROJECTIONS
CRIMINAL CASES

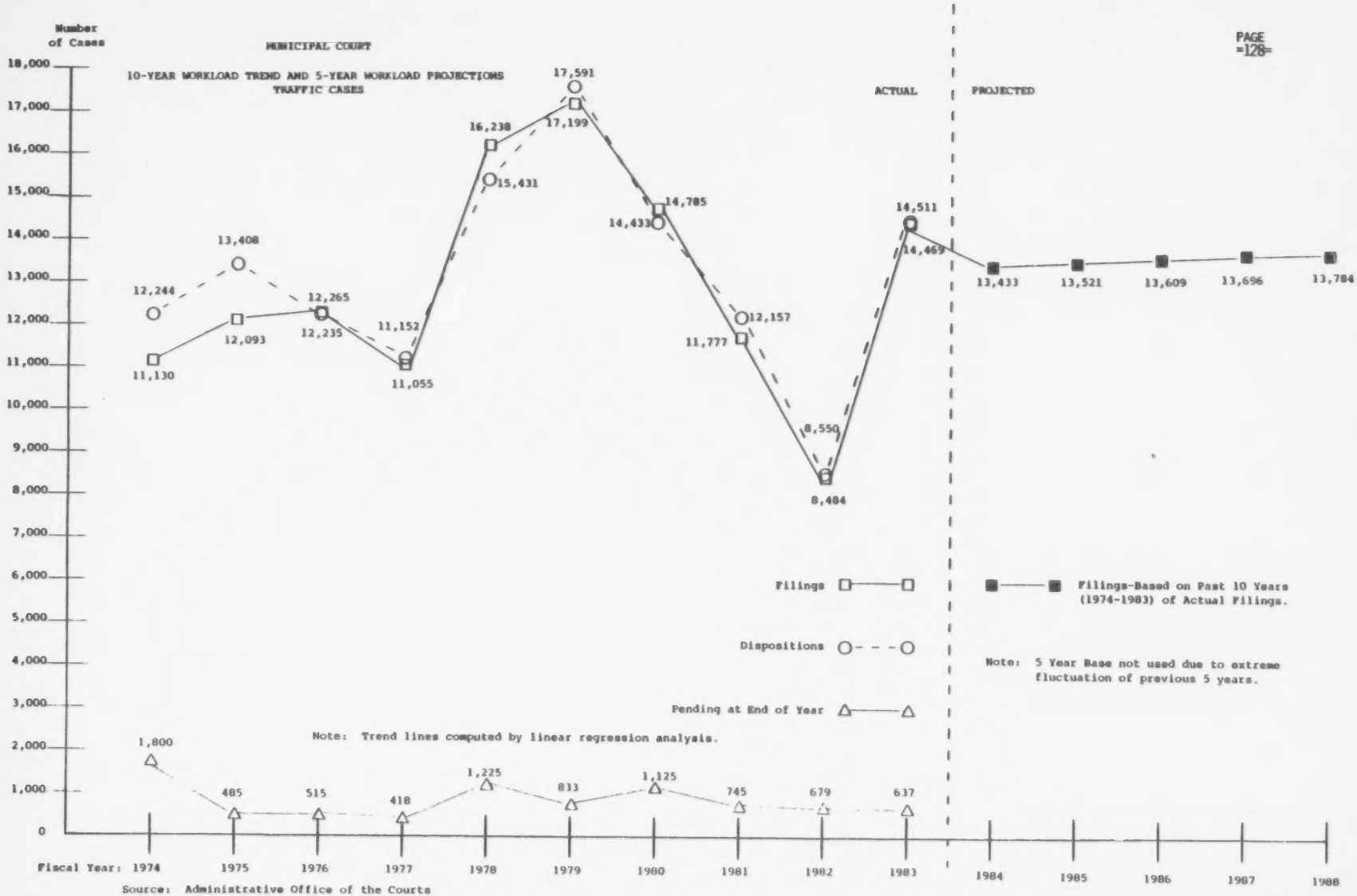


Note: Trend lines computed by linear regression analysis.

Source: Administrative Office of the Courts

MUNICIPAL COURT

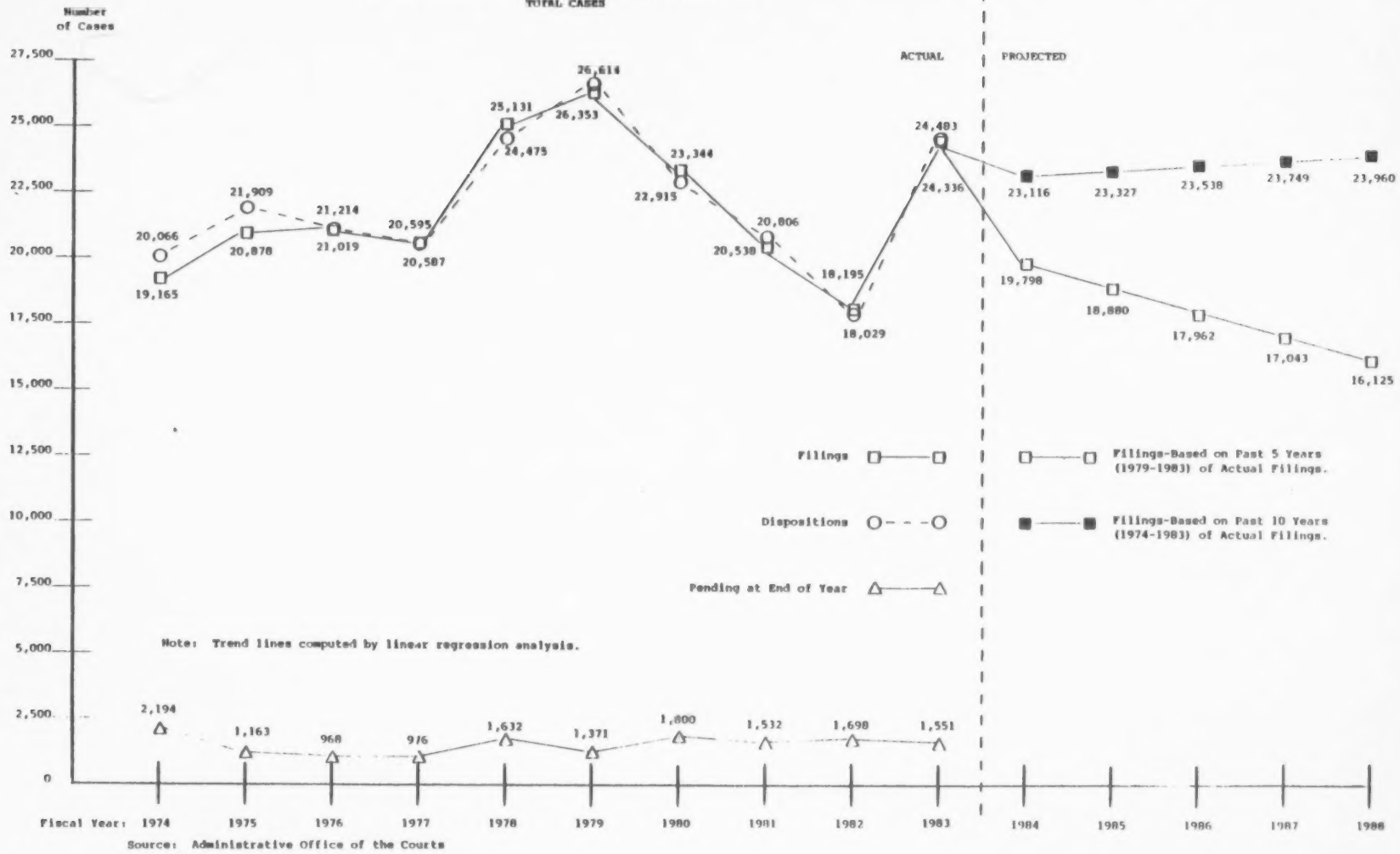
10-YEAR WORKLOAD TREND AND 5-YEAR WORKLOAD PROJECTIONS
TRAFFIC CASES



Source: Administrative Office of the Courts

MUNICIPAL COURT

10-YEAR WORKLOAD TREND AND 5-YEAR WORKLOAD PROJECTIONS
TOTAL CASES



Source: Administrative Office of the Courts

Justice of the Peace Courts

JUSTICE OF THE PEACE COURTS

Legal Authorization

The Justice of the Peace Courts are authorized by the Constitution of Delaware, Article IV, Section 1.

Geographic Organization

The jurisdiction of the Courts is statewide and sessions are held throughout the State. 19 Courts are currently operating, 8 in New Castle County, 4 in Kent County, and 7 in Sussex County.

Legal Jurisdiction

The Justice of the Peace Courts have jurisdiction over civil cases in which the amount in controversy does not exceed $1,500. JP Courts are authorized to hear certain misdemeanors and most motor vehicle cases (excluding felonies) and may act as committing magistrates for all crimes. Since Justice of the Peace Courts are not courts of record, appeals may be taken de novo to Superior Court. The subject matter jurisdiction of the Justice of the Peace Courts is shared with the Court of Common Pleas.

Justices of the Peace

The Delaware Code authorizes a maximum of 53 Justices of the Peace, 24 in New Castle County, 12 in Kent County, and 17 in Sussex County. Magistrates are appointed by the Governor with Senate confirmation for four-year terms. A Justice of the Peace must be at least 21 years of age and a resident of the State of Delaware and the county in which he serves. In addition to the 53 Justices of the Peace, the Governor appoints a Chief Magistrate, subject to Senate confirmation.

Support Personnel

An Administrator and a pair of administrative officers help the Chief Magistrate direct the JP Courts on a day-to-day basis. The State provides chief clerks, deputy clerks, constables, bailiffs, and presentence officers for the courts.

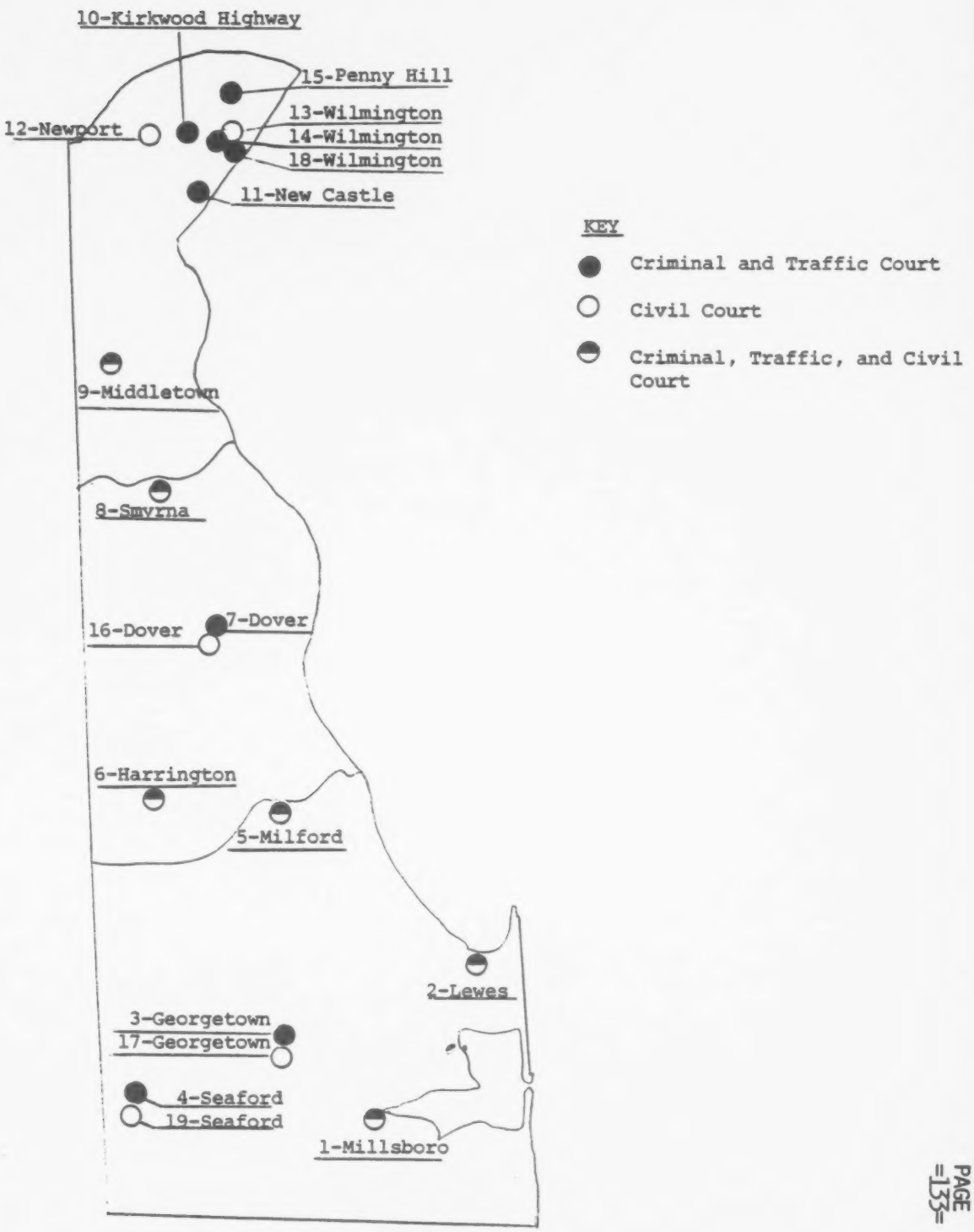
Caseload Trend

The total number of cases filed in the JP Courts during FY 1983 was 172,727 - 14,802 above the total in FY 1982. This number of filings was a new high for a single fiscal year in the JP Courts. The 171,659 total dispositions in FY 1983 was also a record high, up from the total of 158,445 in FY 1982.

Criminal cases rose in FY 1983 to a new high of 152,483 filings, 10.8% more than the 137,655 criminal filings in FY 1982. Criminal dispositions rose by 10.5% to a new high of 151,752 in FY 1983 from 137,277 in FY 1982. Pending rose by 40.0% in FY 1983 to 2,557 from 1,826 at the end of FY 1982.

The number of civil cases filed was almost unchanged in FY 1983 at 20,244 from the FY 1982 all-time high of 20,270. The number of civil cases disposed of decreased by 6.0% from the record 21,168 in FY 1982 to 19,907 in FY 1983. The fall in dispositions led to a 2.2% increase in civil pending from 15,033 at the end of FY 1982 to 15,370 at the end of FY 1983.

JUSTICE OF THE PEACE COURTS IN DELAWARE



JUSTICE OF THE PEACE COURTS

Court	Location	Hours Open (As of 9/30/83)	Total Hours Open Per Week	Jurisdiction
New Castle County				
Court 9	Middletown	M, Tu, Th, F 8AM-4PM; W Noon-8PM	40	Criminal & Civil
Court 10	Kirkwood Highway	M-F 8AM-Midnight; Sat & Sun 24 Hours/Day	128	Criminal
Court 11	New Castle	24 Hours Per Day, 7 Days Per Week	168	Criminal
Court 12	Newport	M-F 8:30AM-4:30PM	40	Civil
Court 13	Wilmington	M-F 8:30AM-4:30PM	40	Civil
Court 14	Wilmington	M-F 8:30AM-4:30PM	40	Criminal
Court 15	Penny Hill	M, Sat 8AM-4PM; Tu-F 8AM-Midnight	80	Criminal
Court 18	Wilmington	M-F 9AM-5PM	40	Criminal
Kent County				
Court 6	Harrington	M, Sat 8AM-4PM; Tu-F 8AM-Midnight	80	Criminal & Civil
Court 7	Dover	24 Hours Per Day, 7 Days Per Week	168	Criminal
Court 8	Smyrna	M-F 8AM-4PM	40	Criminal & Civil
Court 16	Dover	M-F 8:30AM-4:30PM	40	Civil
Sussex County				
Court 1	Millsboro	M-F 9AM-5PM	40	Criminal & Civil
Court 2	Lewes (Winter)	M, Tu 8AM-4PM; W-Sat 8AM-Midnight	80	Criminal & Civil
	(Summer)	M, Sun 8AM-4PM; Tu-Sat 8AM-Midnight	96	
Court 3	Georgetown	24 Hours Per Day, 7 Days Per Week	168	Criminal
Court 4	Seaford	8AM-Midnight, 7 Days Per Week	112	Criminal
Court 5	Milford	M-F 8AM-4PM	40	Criminal & Civil
Court 17	Georgetown	M-F 8AM-4PM	40	Civil
Court 19	Seaford	M-F 8:30AM-4:30PM	40	Civil

JUDICIARY

Chief Magistrate
Hon. Norman A. Barron (6/20/84)
Pamela A. Nagle, Clerk Stenographer

New Castle County
Deputy Chief Magistrate
Hon. Morris Levenberg (6/30/85)

Kent County
Deputy Chief Magistrate
Hon. Russell T. Rash (6/30/85)

Sussex County
Deputy Chief Magistrate
Hon. William J. Hopkins, Jr. (3/19/78)
Hon. Thomas J. Orr (6/29/86)

New Castle County
Justices of the Peace
Hon. Andrew G. Ahern, Jr. (6/27/84)
Hon. Richard L. Brandenberg (6/30/86)
Hon. William W. Brittingham (6/29/85)
Hon. Ronald E. Cheeseman (5/22/84)
Hon. Joseph F. Desmond (1/28/86)
Hon. Mable M. English (6/22/83)
Hon. Vicki Ann Hagel (5/31/87)
Hon. Barbara C. Hughes (6/30/85)
Hon. Lorin P. Hunt (6/27/84)
Hon. Robert S. Jackson, Sr. (5/10/83)
Hon. Virginia W. Johnson (6/30/86)
Hon. Vivian K. Kleinman (5/31/87)
Hon. Ann A. Lewis (5/10/87)
Hon. Ruth P. Malm (1/11/81)
Hon. John P. McLaughlin (5/22/84)
Hon. Michael E. McLaughlin (8/5/84)
Hon. Marc P. Niedzielski (6/1/84)
Hon. Louise L. Reiver (6/20/86)
Hon. William S. Rowe, Jr. (6/20/84)
Hon. Rosalie O. Sullivan (8/5/84)
Hon. Rosalind Toulson (6/2/87)
Hon. John H. Wilding (9/29/84)
Vacant

Kent County
Justices of the Peace
Hon. Margret L. Barrett (6/29/86)
Hon. Helen M. Brandt (6/20/86)
Hon. A. Tyson Cohee (5/2/86)
Hon. John P. Greene (6/5/84)
Hon. George W. Kershner, III (6/30/86)
Hon. Joseph A. Knussman (6/22/87)
Hon. Paul Neeman (6/2/87)
Hon. Ellis B. Parrott (6/10/86)
Hon. Agnes E. Pennella (7/19/87)
Hon. Charles M. Stump (6/5/84)
Hon. Wallace P. Wootten (5/9/78)

Sussex County
Justices of the Peace
Hon. Sheila A. Blakely (7/19/87)
Hon. William A. Booth (7/1/86)
Hon. Edward G. Davis (7/2/83)
Hon. Jeffrey W. Hague (7/1/84)
Hon. Robert F. Handy (6/5/84)
Hon. Aubrey T. Hudson (6/22/83)
Hon. Thomas W. Hutson (6/27/83)
Hon. John H. McQuay (1/12/81)
Hon. Howard W. Mulvaney, III (7/19/87)
Hon. Almetia J. Murray (7/1/86)
Hon. William F. Plack, Jr. (6/20/86)
Hon. Horace W. Short (5/29/84)
Hon. Abigayle E. Truitt (7/2/83)
Hon. Emory R. West, Sr. (6/22/83)
Vacant

JUSTICE OF THE PEACE COURTS

SUPPORT PERSONNEL

NEW CASTLE COUNTY

CHIEF MAGISTRATE'S OFFICE
11th Floor
Elbert N. Carvel Delaware State Building
820 North French Street
Wilmington, Delaware 19801
(571-2485)

Administrator
Arthur R. Carello
Phyllis Wilson, Secretary

Administrative Officers
Thomas W. Nagle
Mary E. Cooper
Christine Hojnicki, Clerk

Administrative Assistant
Sandra L. Coleman

COURT 9
18 South Broad Street
Kirkwood Highway
Middletown, DE 19709
(571-2499)

Chief Clerk
Agnes B. Thompson

KENT COUNTY

COURT 6
Post Office Box 3
Route 13
Harrington, DE 19952
(736-4558)

Chief Clerk
Betty Pleasanton

SUSSEX COUNTY

COURT 1
Post Office Box 192
Route 113
Millsboro, DE 19966
(856-5443)

Chief Clerk
Margaret Ross

JUSTICE OF THE PEACE COURTS

SUPPORT PERSONNEL (CONTINUED)

NEW CASTLE COUNTY

COURT 10
2207 St. James Church Road
Wilmington, DE 19808
(995-8640)

Chief Clerk
Caroline F. Pini

Presentence Officer
Hazel Plant

COURT 11
1202 Delaware Street
New Castle, DE 19720
(323-4450)

Chief Clerk
Luann Schueler

COURT 12
1500 East Newport Pike
Newport
Wilmington, DE 19804
(571-2561)

Chief Clerk
Ann Marie Ellingsworth

KENT COUNTY

COURT 7
Post Office Box 1081
Railroad and Loockerman Streets
Dover, DE 19901
(736-4554)

Chief Clerk
Marjorie Nolette

Presentence Officer
Monika Rash

COURT 8
115 East North Street
Smyrna, DE 19977
(736-4556)

Chief Clerk
Ruth Porter

COURT 16
Post Office Box 1081
Railroad and Loockerman Streets
Dover, DE 19901
(736-4316)

Chief Clerk
Evelyn Ratledge

SUSSEX COUNTY

COURT 2
Post Office Box 492
Route 1
Lewes, DE 19958
(856-5323)

Chief Clerk
Joanne R. Willey

COURT 3
Post Office Box 605
Route 113
Georgetown, DE 19947
(856-5448)

Chief Clerk
Barbara E. Adams

Presentence Officer
Rhyspa McCabe

COURT 4
Post Office Box 718
817 Norman Eskridge Highway
Seaford, DE 19973
(856-5324)

Chief Clerk
Mary Lee Lowe

NEW CASTLE COUNTY

COURT 13
Elbert N. Carvel Delaware State Building
820 North French Street
Wilmington, DE 19801
(571-2550)

Chief Clerk
Claire Lucas

COURT 14
Elbert N. Carvel Delaware State Building
820 North French Streets
Wilmington, DE 19801
(571-2552)

COURT 15
716 Philadelphia Pike
Wilmington, DE 19809
(571-2493)

Chief Clerk
Geraldine McLaughlin

COURT 18
Multi-Purpose Criminal Justice Facility
Post Office Box 9279
1301 East 12th Street
Wilmington, DE 19809
(429-7740)

Chief Clerk
Edna Conner

NEW CASTLE COUNTY CAPIAS CONTROL CENTER
Justice of the Peace Court No. 11
1202 Delaware Street
New Castle, DE 19720
(323-4451)

Chief Clerk
Gaile Kerrigan

KENT COUNTY

FISCAL ADMINISTRATIVE OFFICE
Justice of the Peace Court No. 7
Post Office Box 1081
Railroad and Loockerman Streets
Dover, DE 19901
(736-4188)

Fiscal Administrative Officer
Earl Shockley

KENT COUNTY CAPIAS CONTROL CENTER
Justice of the Peace Court No. 7
Post Office Box 1081
Railroad and Loockerman Streets
Dover, DE 19901
(736-4353)

Chief Clerk
Rella Goodson

SUSSEX COUNTY

COURT 5
Post Office Box 254
248 South Rehoboth Boulevard
Milford, DE 19963
(856-5227)

Chief Clerk
Leah Betts

COURT 17
Post Office Box 605
Route 113
Georgetown, DE 19947
(856-5577)

Chief Clerk
Wanda Abbott

COURT 19
Post Office Box 718
817 Norman Eskridge Highway
Seaford, DE 19973
(856-5636)

Chief Clerk
Ida Mae Friedel

JUSTICE OF THE PEACE COURTS

FISCAL YEAR 1983
CRIMINAL AND TRAFFIC CASES*
WORKLOAD SUMMARY

	Pending 6/30/82	Filings	Dispositions	Pending 6/30/83	Change In Pending	% Change In Pending
New Castle County						
Court 9	29	6,744	6,762	11	- 18	- 62.1%
Court 10	63	22,241	22,145	159	+ 96	+152.4%
Court 11	527	28,267	28,052	742	+215	+ 40.8%
Court 14**	0	0	0	0	0	-
Court 15	0	14,077	14,077	0	0	-
Court 18	0	3,195	3,195	0	0	-
Kent County						
Court 6	2	6,687	6,687	2	0	0.0%
Court 7	235	22,806	22,818	223	- 12	- 5.1%
Court 8	149	3,507	3,464	192	+ 43	+ 28.9%
Sussex County						
Court 1	1	2,957	2,949	9	+ 8	+800.0%
Court 2	600	14,265	13,893	972	+372	+ 62.0%
Court 3	102	11,900	11,848	154	+ 52	+ 51.0%
Court 4	59	13,262	13,264	57	- 2	- 3.4%
Court 5	59	2,575	2,598	36	- 23	- 39.0%
State	1,826	152,483	151,752	2,557	+731	+ 40.0%

*The unit of count for criminal and traffic cases is the charge. For example, a defendant brought before a court on 3 charges would be counted as 3 cases.

**Court 14 is used to handle some driving under the influence, fugitive warrant, and other cases which are included in the totals for other courts.

Source: Chief Magistrate's Office, Justice of the Peace Courts

JUSTICE OF THE PEACE COURTS

FISCAL YEAR 1983
CRIMINAL AND TRAFFIC CASES*
WORKLOAD BREAKDOWNS

FILINGS

	Title 7 Fish/Game		Title 11 Criminal		Title 21 Traffic		Miscellaneous		TOTALS	
New Castle County										
Court 9	137	2.0%	103	1.5%	6,199	91.9%	305	4.5%	6,744	100.0%
Court 10	703	3.2%	3,673	16.5%	16,534	74.3%	1,331	6.0%	22,241	100.0%
Court 11	420	1.5%	6,837	24.2%	18,113	64.1%	2,897	10.2%	28,267	100.0%
Court 14**	0	-	0	-	0	-	0	-	0	-
Court 15	215	1.5%	1,130	8.0%	12,732	90.4%	0	0.0%	14,077	100.0%
Court 18	0	0.0%	2,632	82.4%	175	5.5%	388	12.1%	3,195	100.0%
Kent County										
Court 6	17	0.3%	439	6.6%	6,089	91.0%	142	2.1%	6,687	100.0%
Court 7	186	0.8%	3,152	13.8%	18,659	81.8%	809	3.5%	22,806	100.0%
Court 8	52	1.5%	488	13.9%	2,886	82.3%	81	2.3%	3,507	100.0%
Sussex County										
Court 1	79	2.7%	247	8.4%	2,602	88.0%	29	1.0%	2,957	100.0%
Court 2	170	1.2%	472	3.3%	13,482	94.5%	141	1.0%	14,265	100.0%
Court 3	104	0.9%	3,629	30.5%	7,714	64.8%	453	3.8%	11,900	100.0%
Court 4	82	0.6%	1,305	9.8%	11,759	88.7%	116	0.9%	13,262	100.0%
Court 5	44	1.7%	361	14.0%	2,126	82.6%	44	1.7%	2,575	100.0%
State	2,209	1.4%	24,468	16.0%	119,070	78.1%	6,736	4.4%	152,483	100.0%

*The unit of count for criminal and traffic cases is the charge. For example, a defendant brought before a court on 3 charges would be counted as 3 cases.

**Court 14 is used to handle some driving under the influence, fugitive warrant, and other cases which are included in the totals for other courts.

Source: Chief Magistrate's Office, Justice of the Peace Courts

JUSTICE OF THE PEACE COURTS

FISCAL YEAR 1983
CRIMINAL AND TRAFFIC CASES*
WORKLOAD BREAKDOWNS (CONTINUED)

DISPOSITIONS

	Title 7 Fish/Game		Title 11 Criminal		Title 21 Traffic		Miscellaneous		TOTALS	
New Castle County										
Court 9	176	2.6%	69	1.0%	6,144	90.9%	373	5.5%	6,762	100.0%
Court 10	777	3.5%	3,544	16.0%	16,520	74.6%	1,304	5.9%	22,145	100.0%
Court 11	421	1.5%	6,707	23.9%	18,022	64.2%	2,902	10.3%	28,052	100.0%
Court 14**	0	-	0	-	0	-	0	-	0	-
Court 15	215	1.5%	1,130	8.0%	12,732	90.4%	0	0.0%	14,077	100.0%
Court 18	0	0.0%	2,632	82.4%	175	5.5%	388	12.1%	3,195	100.0%
Kent County										
Court 6	17	0.3%	440	6.6%	6,088	91.0%	142	2.1%	6,687	100.0%
Court 7	189	0.8%	3,142	13.8%	18,672	81.8%	815	3.6%	22,818	100.0%
Court 8	52	1.5%	485	14.0%	2,843	82.1%	84	2.4%	3,464	100.0%
Sussex County										
Court 1	79	2.7%	247	8.4%	2,594	88.0%	29	1.0%	2,949	100.0%
Court 2	169	1.2%	428	3.1%	13,161	94.7%	135	1.0%	13,893	100.0%
Court 3	102	0.9%	3,628	30.6%	7,668	64.7%	450	3.8%	11,848	100.0%
Court 4	87	0.7%	1,312	9.9%	11,749	88.6%	116	0.9%	13,264	100.0%
Court 5	44	1.7%	367	14.1%	2,141	82.4%	46	1.8%	2,598	100.0%
State	2,328	1.5%	24,131	15.9%	118,509	78.1%	6,784	4.5%	151,752	100.0%

*The unit of count for criminal and traffic cases is the charge. For example, a defendant brought before a court on 3 charges would be counted as 3 cases.

**Court 14 is used to handle some driving under the influence, fugitive warrant, and other cases which are included in the totals for other courts.

Source: Chief Magistrate's Office, Justice of the Peace Courts

JUSTICE OF THE PEACE COURTS

FISCAL YEAR 1983
CRIMINAL AND TRAFFIC CASES*
WORKLOAD BREAKDOWNS

CHANGE IN PENDING

	Title 7 Fish/Game	Title 11 Criminal	Title 21 Traffic	Miscellaneous	TOTALS
New Castle County					
Court 9	- 39	+ 34	+ 55	- 68	- 18
Court 10	- 74	+129	+ 14	+ 27	+ 96
Court 11	- 1	+130	+ 91	- 5	+215
Court 14**	0	0	0	0	0
Court 15	0	0	0	0	0
Court 18	0	0	0	0	0
Kent County					
Court 6	0	- 1	+ 1	0	0
Court 7	- 3	+ 10	- 13	- 6	- 12
Court 8	0	+ 3	+ 43	- 3	+ 43
Sussex County					
Court 1	0	0	+ 8	0	+ 8
Court 2	+ 1	+ 44	+321	+ 6	+372
Court 3	+ 2	+ 1	+ 46	+ 3	+ 52
Court 4	- 5	- 7	+ 10	0	- 2
Court 5	0	- 6	- 15	- 2	- 23
State	-119	+337	+561	- 48	+731

*The unit of count for criminal and traffic cases is the charge. For example, a defendant brought before a court on 3 charges would be counted as 3 cases.

**Court 14 is used to handle some driving under the influence, fugitive warrant, and other cases which are included in the totals for other courts.

Source: Chief Magistrate's Office, Justice of the Peace Courts

JUSTICE OF THE PEACE COURTS

FISCAL YEAR 1983
CRIMINAL AND TRAFFIC CASES*
TYPES OF DISPOSITIONS

	By Mail-In Fine		By Court Appearance		By Counsel Appearance		TOTALS	
New Castle County								
Court 9	5,978	88.4%	584	8.6%	200	2.9%	6,762	100.0%
Court 10	9,373	42.3%	12,253	55.3%	519	2.3%	22,145	100.0%
Court 11	12,324	43.9%	15,728	56.1%	0	0.0%	28,052	100.0%
Court 14**	0	-	0	-	0	-	0	-
Court 15	6,368	45.2%	7,709	54.8%	0	0.0%	14,077	100.0%
Court 18	0	0.0%	3,195	100.0%	0	0.0%	3,195	100.0%
Kent County								
Court 6	5,163	77.2%	1,492	22.3%	32	0.5%	6,687	100.0%
Court 7	12,721	55.7%	9,802	43.0%	295	1.3%	22,818	100.0%
Court 8	2,163	62.4%	1,206	34.8%	95	2.7%	3,464	100.0%
Sussex County								
Court 1	2,205	74.8%	724	24.6%	20	0.7%	2,949	100.0%
Court 2	10,398	74.8%	3,495	25.2%	0	0.0%	13,893	100.0%
Court 3	4,962	41.9%	6,886	58.1%	0	0.0%	11,848	100.0%
Court 4	8,908	67.2%	4,356	32.8%	0	0.0%	13,264	100.0%
Court 5	1,181	45.5%	1,394	53.7%	23	0.9%	2,598	100.0%
State	81,744	53.9%	68,824	45.4%	1,184	0.8%	151,752	100.0%

*The unit of count for criminal and traffic cases is the charge. For example, a defendant brought before a court on 3 charges would be counted as 3 cases.

**Court 14 is used to handle some driving under the influence, fugitive warrant, and other cases which are included in the totals for other courts.

Source: Chief Magistrate's Office, Justice of the Peace Courts

JUSTICE OF THE PEACE COURTS

COMPARISON - FISCAL YEARS 1982-1983
CRIMINAL AND TRAFFIC CASES*
WORKLOAD

	FILINGS				DISPOSITIONS			
	1982	1983	Change	% Change	1982	1983	Change	% Change
New Castle County								
Court 9	6,483	6,744	+ 261	+ 4.0%	6,467	6,762	+ 295	+ 4.6%
Court 10	20,356	22,241	+ 1,885	+ 9.3%	20,574	22,145	+ 1,571	+ 7.6%
Court 11	24,017	28,267	+ 4,250	+17.7%	23,866	28,052	+ 4,186	+17.5%
Court 14**	0	0	0	-	0	0	0	-
Court 15	12,894	14,077	+ 1,183	+ 9.2%	12,894	14,077	+ 1,183	+ 9.2%
Court 18	2,831	3,195	+ 364	+12.9%	2,831	3,195	+ 364	+12.9%
Kent County								
Court 6	5,783	6,687	+ 904	+15.6%	5,784	6,687	+ 903	+15.6%
Court 7	19,289	22,806	+ 3,517	+18.2%	19,285	22,818	+ 3,533	+18.3%
Court 8	3,356	3,507	+ 151	+ 4.5%	3,294	3,464	+ 170	+ 5.2%
Sussex County								
Court 1	2,723	2,957	+ 234	+ 8.6%	2,725	2,949	+ 224	+ 8.2%
Court 2	16,108	14,265	- 1,843	-11.4%	15,817	13,893	- 1,924	-12.2%
Court 3	11,173	11,900	+ 727	+ 6.5%	11,154	11,848	+ 694	+ 6.2%
Court 4	9,543	13,262	+ 3,719	+39.0%	9,510	13,264	+ 3,754	+39.5%
Court 5	3,099	2,575	- 524	-16.9%	3,076	2,598	- 478	-15.5%
State	137,655	152,483	+14,828	+10.8%	137,277	151,752	+14,475	+10.5%

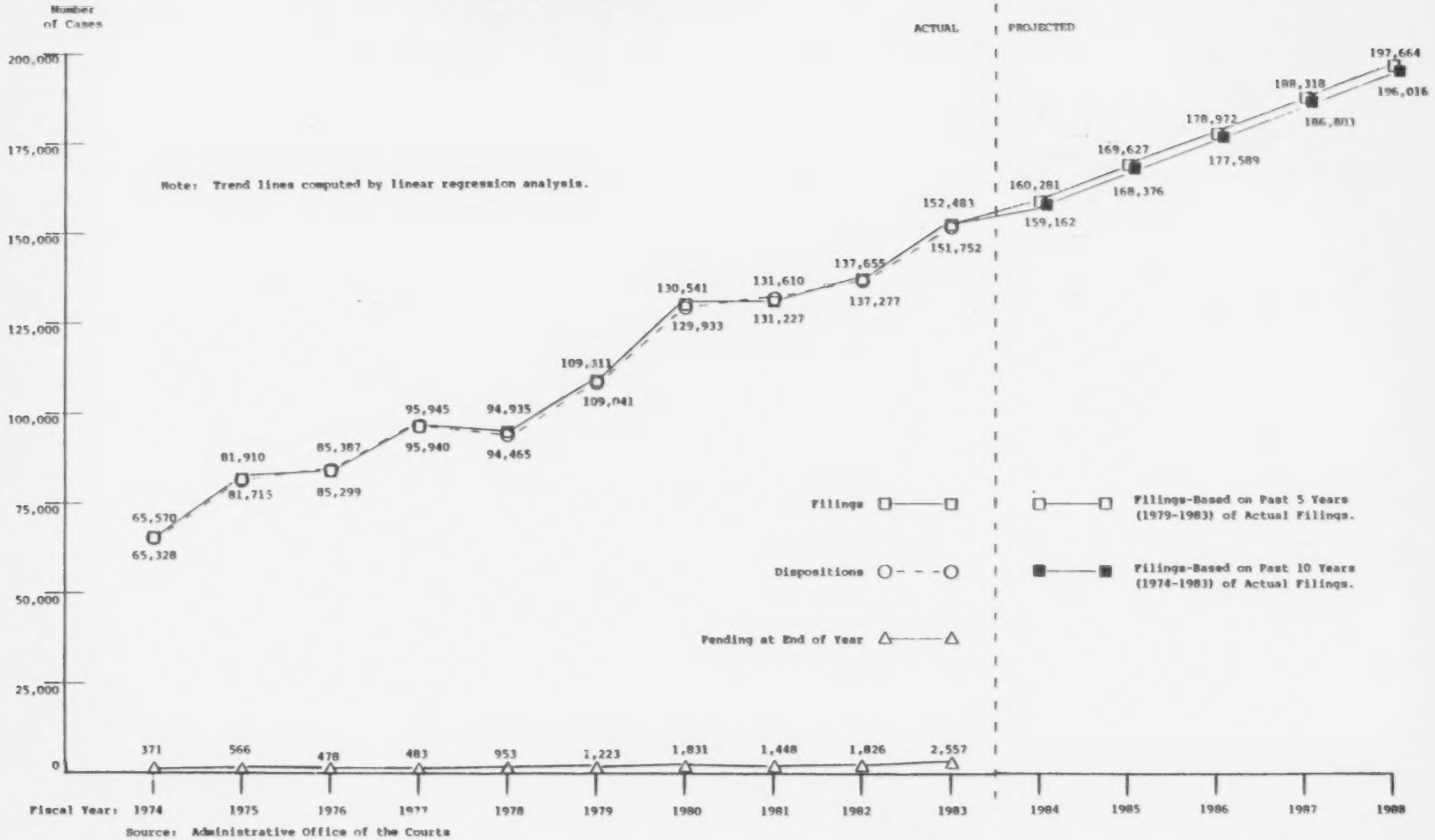
*The unit of count for criminal and traffic cases is the charge. For example, a defendant brought before a court on 3 charges would be counted as 3 cases.

**Court 14 is used to handle some driving under the influence, fugitive warrant, and other cases which are included in the totals for other courts.

Source: Chief Magistrate's Office, Justice of the Peace Courts

JUSTICE OF THE PEACE COURTS

10-YEAR WORKLOAD TREND AND 5-YEAR WORKLOAD PROJECTIONS
CRIMINAL AND TRAFFIC CASES



Source: Administrative Office of the Courts

JUSTICE OF THE PEACE COURTS

FISCAL YEAR 1983
CIVIL CASES
WORKLOAD SUMMARY

	Pending 6/30/82	Filings	Dispositions	Pending 6/30/83	Change In Pending	% Change In Pending
New Castle County						
Court 9	85	274	343	16	- 69	- 81.2%
Court 10*	4,854	0	6	4,848	- 6	- 0.1%
Court 11*	1,244	0	0	1,244	0	0.0%
Court 12	472	5,340	4,006	1,806	+1,334	+282.6%
Court 13	3,785	7,195	8,781	2,199	-1,586	- 41.9%
Kent County						
Court 6	6	413	399	20	+ 14	+233.3%
Court 16	3,196	2,886	2,309	3,773	+ 577	+ 18.1%
Court 8	82	461	416	127	+ 45	+ 54.9%
Sussex County						
Court 1	33	517	492	58	+ 25	+ 75.8%
Court 2	855	429	324	960	+ 105	+ 12.3%
Court 17	192	1,021	1,052	161	- 31	- 16.1%
Court 19	99	948	981	66	- 33	- 33.3%
Court 5	130	760	798	92	- 38	- 29.2%
State	15,033	20,244	19,907	15,370	+ 337	+ 2.2%

*Criminal court only.

Source: Chief Magistrate's Office, Justice of the Peace Courts

JUSTICE OF THE PEACE COURTS

FISCAL YEAR 1983
CIVIL CASES
WORKLOAD BREAKDOWNS

	FILINGS						DISPOSITIONS					
	Complaints		Landlord/Tenant		TOTALS		Complaints		Landlord/Tenant		TOTALS	
New Castle County												
Court 9	224	81.8%	50	18.2%	274	100.0%	159	46.4%	184	53.6%	343	100.0%
Court 10*	0	-	0	-	0	-	6	100.0%	0	0.0%	6	100.0%
Court 11*	0	-	0	-	0	-	0	-	0	-	0	-
Court 12	3,167	59.3%	2,173	40.7%	5,340	100.0%	2,338	58.4%	1,668	41.6%	4,006	100.0%
Court 13	5,348	74.3%	1,847	25.7%	7,195	100.0%	7,064	80.4%	1,717	19.6%	8,781	100.0%
Kent County												
Court 6	379	91.8%	34	8.2%	413	100.0%	365	91.5%	34	8.5%	399	100.0%
Court 16	2,517	87.2%	369	12.8%	2,886	100.0%	1,932	83.7%	377	16.3%	2,309	100.0%
Court 8	429	93.1%	32	6.9%	461	100.0%	384	92.3%	32	7.7%	416	100.0%
Sussex County												
Court 1	416	80.5%	101	19.5%	517	100.0%	392	79.7%	100	20.3%	492	100.0%
Court 2	354	82.5%	75	17.5%	429	100.0%	264	81.5%	60	18.5%	324	100.0%
Court 17	986	96.6%	35	3.4%	1,021	100.0%	1,015	96.5%	37	3.5%	1,052	100.0%
Court 19	803	84.7%	145	15.3%	948	100.0%	864	88.1%	117	11.9%	981	100.0%
Court 5	738	97.1%	22	2.9%	760	100.0%	785	98.4%	13	1.6%	798	100.0%
State	15,361	75.9%	4,883	24.1%	20,244	100.0%	15,568	78.2%	4,339	21.8%	19,907	100.0%

*Criminal court only.

Source: Chief Magistrate's Office, Justice of the Peace Courts

JUSTICE OF THE PEACE COURTS

FISCAL YEAR 1983
CIVIL CASES
WORKLOAD BREAKDOWNS (CONTINUED)

CHANGE IN PENDING

	Complaints	Landlord/Tenant	TOTALS
New Castle County			
Court 9	+ 65	-134	- 69
Court 10*	- 6	0	- 6
Court 11*	0	0	0
Court 12	+ 829	+505	+1,334
Court 13	-1,716	+130	-1,586
Kent County			
Court 6	+ 14	0	+ 14
Court 16	+ 585	- 8	+ 577
Court 8	+ 45	0	+ 45
Sussex County			
Court 1	+ 24	+ 1	+ 25
Court 2	+ 90	+ 15	+ 105
Court 17	- 29	- 2	- 31
Court 19	- 61	+ 28	- 33
Court 5	- 47	+ 9	- 38
State	- 207	+544	+ 337

*Criminal court only.

Source: Chief Magistrate's Office, Justice of the Peace Courts

JUSTICE OF THE PEACE COURTS

COMPARISON - FISCAL YEARS 1982-1983
CIVIL CASES
WORKLOAD

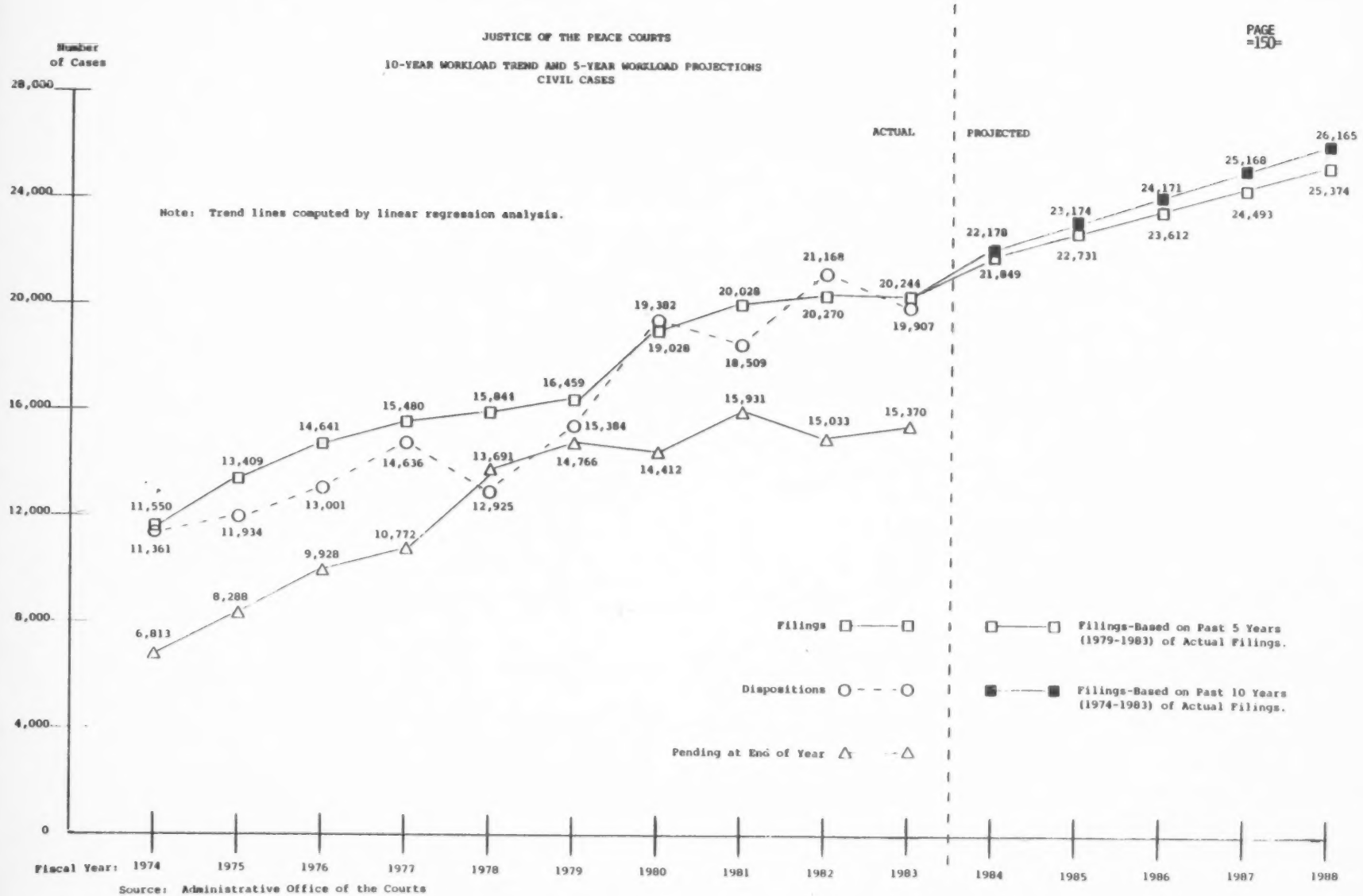
	FILINGS				DISPOSITIONS			
	1982	1983	Change	% Change	1982	1983	Change	% Change
New Castle County								
Court 9	1,328	274	- 1,054	-79.4%	1,274	343	- 931	-73.1%
Court 10*	0	0	0	-	4	6	+ 2	+50.0%
Court 11*	0	0	0	-	0	0	-	-
Court 12	5,158	5,340	+ 182	+ 3.5%	5,908	4,006	- 1,902	-32.2%
Court 13	6,188	7,195	+ 1,007	+16.3%	7,343	8,781	+ 1,438	+19.6%
Kent County								
Court 6	317	413	+ 96	+30.3%	320	399	+ 79	+24.7%
Court 16	2,932	2,886	- 46	- 1.6%	2,073	2,309	+ 236	+11.4%
Court 8	398	461	+ 63	+15.8%	397	416	+ 19	+ 4.8%
Sussex County								
Court 1	378	517	+ 139	+36.8%	398	492	+ 94	+23.6%
Court 2	511	429	- 82	-16.0%	363	324	- 39	-10.7%
Court 17	1,247	1,021	- 226	-18.1%	1,304	1,052	- 252	-19.3%
Court 19	904	948	+ 44	+ 4.9%	891	981	+ 90	+10.1%
Court 5	909	760	- 149	-16.4%	893	798	- 95	-10.6%
State	20,270	20,244	- 26	- 0.1%	21,168	19,907	- 1,261	- 6.0%

*Criminal court only.

Source: Chief Magistrate's Office, Justice of the Peace Courts

JUSTICE OF THE PEACE COURTS

10-YEAR WORKLOAD TREND AND 5-YEAR WORKLOAD PROJECTIONS
CIVIL CASES



Source: Administrative Office of the Courts

JUSTICE OF THE PEACE COURTS

FISCAL YEAR 1983
RANKINGS IN ORDER OF TOTAL CASES FILED

Rank	Court	Total Number of Cases Filed*	Percentage of Total	FY 1982 Rank
1	11	28,267	16.4%	1
2	7	22,806	13.2%	3
3	10	22,241	12.9%	2
4	2	14,694	8.5%	4
5	15	14,077	8.1%	5
6	4	13,262	7.7%	7
7	3	11,900	6.9%	6
8	13	7,195	4.2%	9
9	6	7,100	4.1%	10
10	9	7,018	4.1%	8
11	12	5,340	3.1%	11
12	8	3,968	2.3%	13
13	1	3,474	2.0%	14
14	5	3,335	1.9%	12
15	18	3,195	1.8%	16
16	16	2,886	1.7%	15
17	17	1,021	0.6%	17
18	19	948	0.5%	18
19	14**	0	0.0%	19
	State	172,727	100.0%	

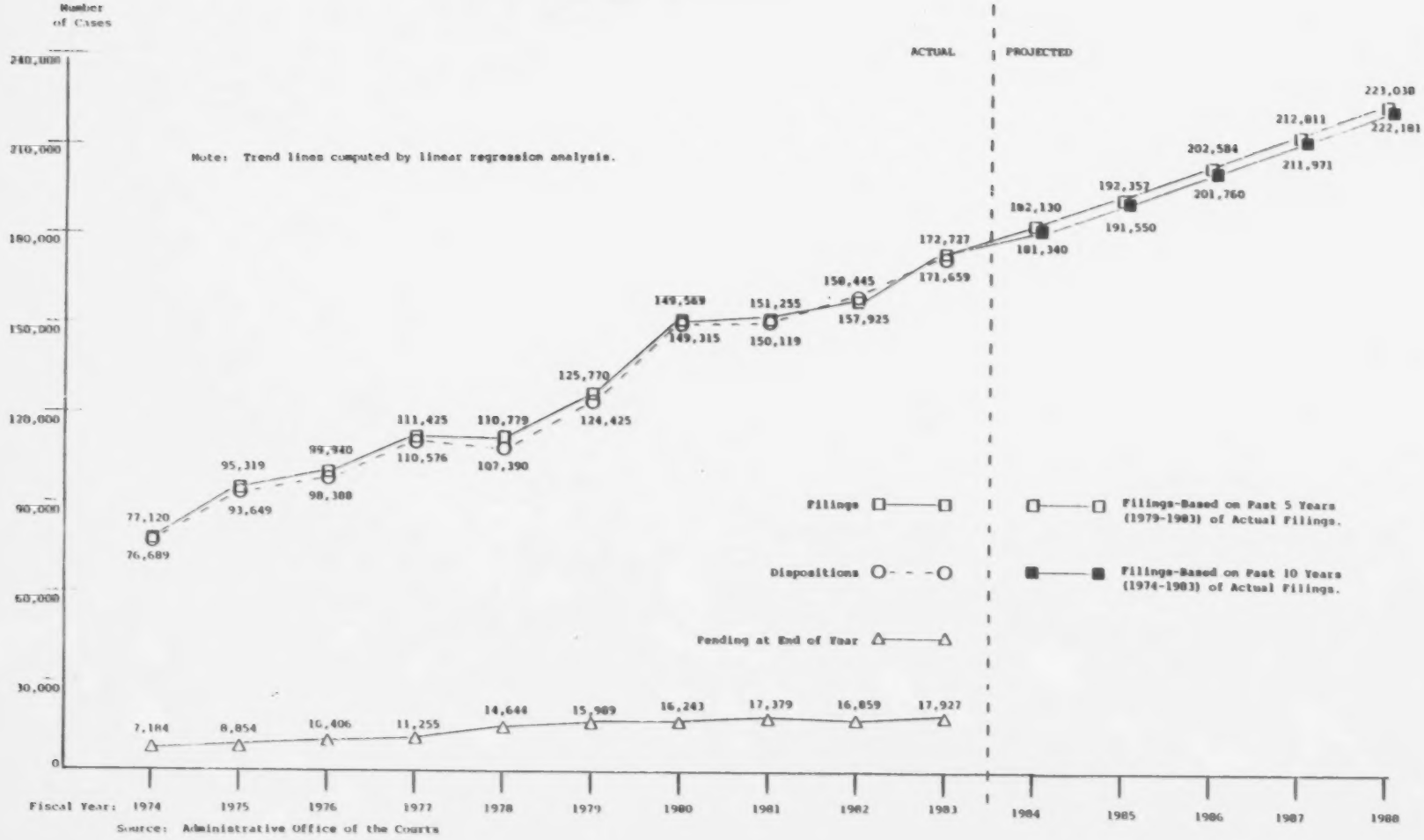
*The unit of count for criminal and traffic cases is the charge. For example, a defendant brought before a court on 3 charges would be counted as 3 cases.

**Court 14 is used to handle some driving under the influence, fugitive warrant, and other cases which are included in the totals for other courts.

Source: Chief Magistrate's Office, Justice of the Peace Courts

JUSTICE OF THE PEACE COURTS

10-YEAR WORKLOAD TREND AND 5-YEAR WORKLOAD PROJECTIONS
TOTAL CASES



Source: Administrative Office of the Courts

Alderman's Courts

ALDERMAN'S COURTS

Legal Authorization

Alderman's Courts are authorized by the town charters of their respective towns.

Geographic Organization

Alderman's Courts have jurisdiction only within their own town limits. There are currently 13 active Alderman's or Mayor's Courts; 5 in New Castle County, 1 in Kent County, and 7 in Sussex County. When a town is without a court or an alderman for any period of time, its cases are transferred to the nearest Justice of the Peace Court.

Legal Jurisdiction

The jurisdiction of an Alderman's Court is limited to minor misdemeanors, traffic offenses, parking violations, and minor civil matters. The specific jurisdiction of each court again varies with the town charter (which is approved by the State Legislature). Many courts handle only traffic and parking violations; only 5 handle as many as 100 criminal cases annually. Harrington's Court handles only civil cases. Appeals are taken de novo to Superior Court within 15 days of the trial.

Aldermen

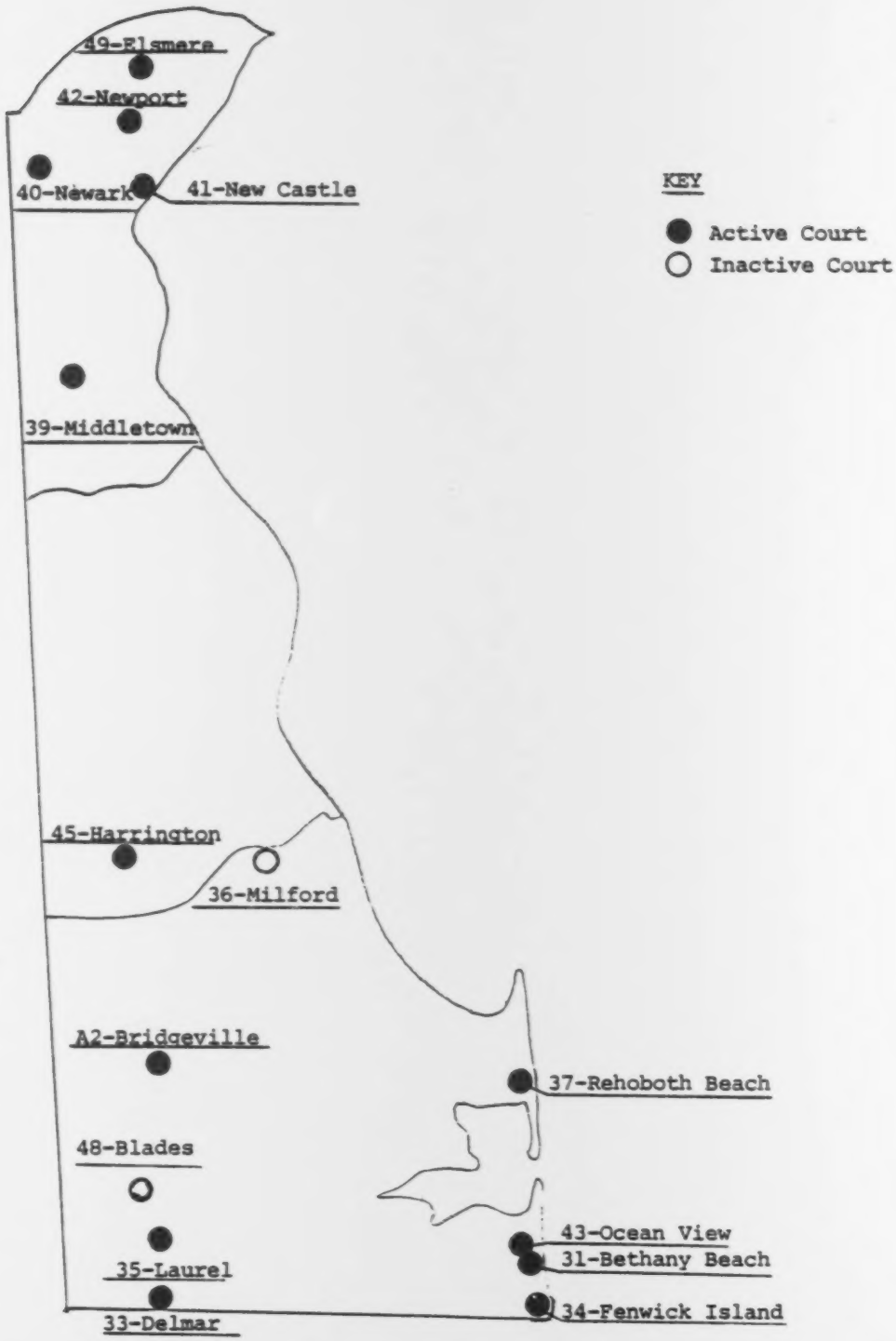
The selection, number, tenure, and qualifications of aldermen are determined by the towns themselves. Some require lawyers; others choose ordinary citizens. A few aldermen serve full-time, but most are part-time judges. In New Castle, the mayor serves as judge of their court.

Caseload Trend

The totals for the State Alderman's Courts had filings rising by 23.3% to 23,240 in FY 1983 from 18,844 in FY 1982 while dispositions rose as well to 22,471 in FY 1983 from 18,177 in FY 1982. The result was a 34.4% rise in pending from 2,238 at the end of FY 1982 to 3,007 at the end of FY 1983.

FY 1983 was the eighth year in which complete workload statistics were collected. Many Sussex County Courts continue to experience substantial seasonal fluctuations in their workloads.

ALDERMAN'S COURTS IN DELAWARE



ALDERMAN'S COURTS

Court	Location	Hours Open (As of 9/30/83)	Total Hours Open Per Week	Jurisdiction
New Castle County				
Court 49	Elsmere	M-F 9AM-5PM	40	Traffic
Court 39	Middletown	Tu 5-6PM	1	Criminal & Traffic
Court 40	Newark	M-Th 4:30PM until all cases are disposed of; W 8:30AM until all cases are disposed of	Varies	Criminal & Traffic
Court 41	New Castle	Tu 7:30PM until all cases are disposed of	Varies	Traffic
Court 42	Newport	M-F 12:30-5:30PM	25	Traffic
Kent County				
Court 45	Harrington	No Set Time Schedule	Varies	Civil
Sussex County				
Court 31	Bethany Beach	M,W,Sat 8:30-9:30AM; F 7-7:50PM	4	Criminal & Traffic
Court 33	Delmar	Tu 10AM-3PM; Sat 12-2PM	7	Criminal & Traffic
Court A2	Bridgeville	M,W,F 9AM-12:30PM; Th 9AM-4:30PM	18	Criminal & Traffic
Court 34	Fenwick Island	Unset	Varies	Criminal, Traffic & Civil
Court 35	Laurel	Tu,F 4:30-9:30PM	10	Criminal & Traffic
Court 43	Ocean View	M-W 8AM-3PM	21	Criminal, Traffic, & Civil
Court 37	Rehoboth Beach	M,W-F 4PM-6PM; on call daily	8	Criminal & Traffic

ALDERMAN'S COURTS

ALDERMEN

NEW CASTLE COUNTY

Elsmere
Hon. John L. Mitchell, Sr., Mayor

Middletown
Hon. David D. Chillas, Alderman

Newark
Hon. Vance A. Funk, III, Chief Alderman of Delaware
Hon. Richard E. Franta, Deputy

New Castle
Hon. John F. Klingmeyer, Mayor

Newport
Hon. Joseph A. Palermo, Alderman

KENT COUNTY

Harrington
Hon. Anna R. Hampton, Alderman

SUSSEX COUNTY

Bethany Beach
Hon. J. Joseph Tansey, Alderman
Hon. Harold Britton Barber, Assistant Alderman

Brideville
Hon. Margaret I. Thompson, Alderman

Delmar
Hon. Linda H. Walmsley, Alderman

Fenwick Island
Hon. Richard A. Barton, Deputy Chief Alderman of Delaware
Hon. Alfred D. Spinner, Alternate
Hon. Vincent Lobo, Deputy

Laurel
Hon. Edward Walmsley, Jr., Alderman

Ocean View
Hon. Marilyn F. Denny, Alderman

Rehoboth Beach
Hon. Marianne McCay, Alderman
Hon. Orville T. Clark, Assistant Alderman

SUPPORT PERSONNEL

NEW CASTLE COUNTY

ELSMERE
Mayor's Court 49
11 Poplar Avenue
Elsmere, DE 19805
(998-2215)

Administrative Assistant
Andrew P. Mariani, Jr.

MIDDLETOWN
Alderman's Court 39
P.O. Box 227
216 N. Broad Street
Middletown, DE 19709
(834-5015)

NEWARK
Alderman's Court 40
220 Elkton Road
P.O. Box 390
Newark, DE 19715
(366-7028, 366-7029)

Clerk of the Court
Margaret B. Nelson

Clerk Typists
Betty Hales
Elaine Koronik
Kathleen R. Lloyd

NEW CASTLE
Mayor's Court
220 Delaware Street
New Castle, DE 19720
(328-4804)

Court Clerk
Mikki DiEmidio

KENT COUNTY

HARRINGTON
Alderman's Court 45
City Hall
103 Fleming Street
Harrington, DE 19952
(398-3772, 398-3530)

SUSSEX COUNTY

BETHANY BEACH
Alderman's Court 31
P.O. Box 109
Bethany Beach, DE 19930
(539-8011)

BRIDGEVILLE
Alderman's Court A2
101 N. Main Street
Bridgeville, DE 19933
(337-7371)

DELMAR
Alderman's Court 33
P.O. Box 398
Delmar, DE 19940
(846-2138)

FENWICK ISLAND
Alderman's Court 34
Town Hall
Fenwick Island, DE 19944
(539-3011)

Court Clerk
June Truitt

LAUREL
Alderman's Court 35
P.O. Box 210
Laurel, DE 19956
(875-2855)

Court Clerk
Linda H. Walmsley

ALDERMAN'S COURTS

SUPPORT PERSONNEL (CONTINUED)

NEW CASTLE COUNTY

NEWPORT
Alderman's Court 42
205 North Marshall Street
P.O. Box 3053
Newport, DE 19804
(998-2707)

Court Clerk
Annette Leach

KENT COUNTY

SUSSEX COUNTY

OCEAN VIEW
Alderman's Court 43
Oakwood Avenue
Ocean View, DE 19970
(539-9797)

REHOBOTH BEACH
Alderman's Court 37
P.O. Box C
Rehoboth Beach, DE 19971
(227-7917)

ALDERMAN'S COURT

FISCAL YEAR 1983
TOTAL CASES*
WORKLOAD SUMMARY

Court	Pending 6/30/82	Filings	Dispositions	Pending 6/30/83	Change In Pending	% Change In Pending
New Castle County						
Elsmere**	0	0	0	0	0	-
Middletown	30	1,000	940	90	+ 60	+200.0%
Newark	1,627	10,948	10,563	2,012	+385	+ 23.7%
New Castle	2	262	261	3	+ 1	+ 50.0%
Newport	197	3,641	3,366	472	+275	+139.6%
Kent County						
Harrington	58	281	158	181	+123	+212.1%
Sussex County						
Bethany Beach	179	1,194	1,273	100	- 79	- 44.1%
Blades#	0	30	30	0	0	-
Bridgeville	0	1,966	1,966	0	0	-
Delmar##	0	90	77	13	+ 13	-
Fenwick Island	0	1,139	1,139	0	0	-
Laurel	137	1,189	1,193	133	- 4	- 2.9%
Ocean View	0	416	416	0	0	-
Rehoboth Beach	8	1,084	1,089	3	- 5	- 62.5%
TOTALS	2,238	23,240	22,471	3,007	+769	+ 34.4%

*The unit of count for criminal and traffic cases is the charge. For example, a defendant with 3 charges disposed of is counted as 3 dispositions.
**The Elsmere Court only collects fines for traffic cases and does not actually try the case.
#Court closed as of 4/9/83.
##Court opened on 3/10/83.

Source: Alderman's Courts

ALDERMAN'S COURTS

FISCAL YEAR 1983
CRIMINAL CASES*
WORKLOAD SUMMARY

Court	Pending 6/30/82	Filings	Dispositions	Pending 6/30/83	Change In Pending	% Change In Pending
New Castle County						
Middletown	2	165	163	4	+ 2	+100.0%
Newark	586	1,540	1,470	656	+ 70	+ 11.9%
New Castle	1	6	7	0	- 1	-100.0%
Newport	0	0	0	0	0	-
Kent County						
Harrington	0	0	0	0	0	-
Sussex County						
Bethany Beach	50	155	165	40	- 10	- 20.0%
Blades#	0	0	0	0	0	-
Bridgeville	0	30	30	0	0	-
Delmar**	0	13	11	2	+ 2	-
Fenwick Island	0	18	18	0	0	-
Laurel	45	308	308	45	0	0.0%
Ocean View	0	0	0	0	0	-
Rehoboth Beach	7	297	301	3	- 4	- 57.1%
TOTALS	691	2,532	2,473	750	+ 59	+ 8.5%

*The unit of count for criminal cases is the charge. For example, a defendant with 3 charges disposed of is counted as 3 dispositions.
**Court opened 3/10/83.
#Court closed as of 4/9/83.

Source: Alderman's Courts

ALDERMAN'S COURTS

FISCAL YEAR 1983
TRAFFIC CASES*
WORKLOAD SUMMARY

Court	Pending 6/30/82	Filings	Dispositions	Pending 6/30/83	Change In Pending	% Change In Pending
New Castle County						
Elsmere**	0	0	0	0	0	-
Middletown	28	835	777	86	+ 58	+207.1%
Newark	1,041	9,408	9,093	1,356	+315	+ 30.3%
New Castle	1	256	254	3	+ 2	+200.0%
Newport	197	3,641	3,366	472	+275	+139.6%
Kent County						
Harrington	0	0	0	0	0	-
Sussex County						
Bethany Beach	129	1,039	1,108	60	- 69	- 53.5%
Blades#	0	30	30	0	0	-
Bridgeville	0	1,936	1,936	0	0	-
Delmar##	0	77	66	11	+ 11	-
Fenwick Island	0	1,056	1,056	0	0	-
Laurel	92	881	885	88	- 4	- 4.3%
Ocean View	0	414	414	0	0	-
Rehoboth Beach#	1	787	788	0	- 1	-100.0%
TOTALS	1,489	20,360	19,773	2,076	+587	+ 39.4%

*The unit of count in traffic cases is the charge. For example, a defendant with 3 charges disposed of is counted as 3 defendants.
**The Elsmere Court only collects fines for traffic cases and does not actually try the case.
#Court closed as of 4/9/83.
##Court opened on 3/10/83.

Source: Alderman's Courts

ALDERMAN'S COURTS

FISCAL YEAR 1983
CIVIL CASES
WORKLOAD SUMMARY

Court	Pending 6/30/82	Filings	Dispositions	Pending 6/30/83	Change In Pending	% Change In Pending
New Castle County						
Middletown	0	0	0	0	0	-
Newark	0	0	0	0	0	-
New Castle	0	0	0	0	0	-
Newport	0	0	0	0	0	-
Kent County						
Harrington	58	281	158	181	+123	+212.1%
Sussex County						
Bethany Beach	0	0	0	0	0	-
Blades*	0	0	0	0	0	-
Bridgeville	0	0	0	0	0	-
Delmar**	0	0	0	0	0	-
Fenwick Island	0	65	65	0	0	-
Laurel	0	0	0	0	0	-
Ocean View	0	2	2	0	0	-
Rehoboth Beach	0	0	0	0	0	-
TOTALS	58	348	225	181	+123	+212.1%

*Court closed as of 4/9/83.
**Court opened on 3/10/83.

Source: Alderman's Courts

ALDERMAN'S COURTS

COMPARISON - FISCAL YEARS 1982-1983
TOTAL CASES
WORKLOAD

Court	Number of Dispositions* 1982	1983	Change	% Change
New Castle County				
Elsmere**	0	0	0	-
Middletown	710	940	+ 230	+ 32.4%
Newark	8,397	10,563	+2,166	+ 25.8%
New Castle	328	261	- 67	- 20.4%
Newport	2,225	3,366	+1,141	+ 51.3%
Kent County				
Harrington	278	158	- 120	- 43.2%
Sussex County				
Bethany Beach	1,145#	1,273	+ 128	+ 11.2%
Blades!	44	30	- 14	- 31.8%
Bridgeville	1,715	1,966	+ 251	+ 14.6%
Delmar!!	Inactive	77	+ 77	-
Fenwick Island	972	1,139	+ 167	+ 17.2%
Laurel	966	1,193	+ 227	+ 23.5%
Ocean View	583	416	- 167	- 28.6%
Rehoboth Beach	814##	1,089	+ 275	+ 33.8%
TOTALS	18,177#	22,471	+4,294	+ 23.6%

*The unit of count in criminal and traffic cases is the charge. For example, a defendant with 3 charges disposed of is counted as 3 dispositions.
**The Elsmere Court only collects fines for traffic cases and does not actually try the case.
#Adjusted from 1982 Annual Report.
##Data not available for 5/1/82 to 6/30/82.
!Court closed as of 4/9/83.
!!Court opened on 3/10/83.

Source: Alderman's Courts

ALDERMAN'S COURTS

FISCAL YEAR 1983
RANKINGS IN ORDER OF TOTAL CASES FILED

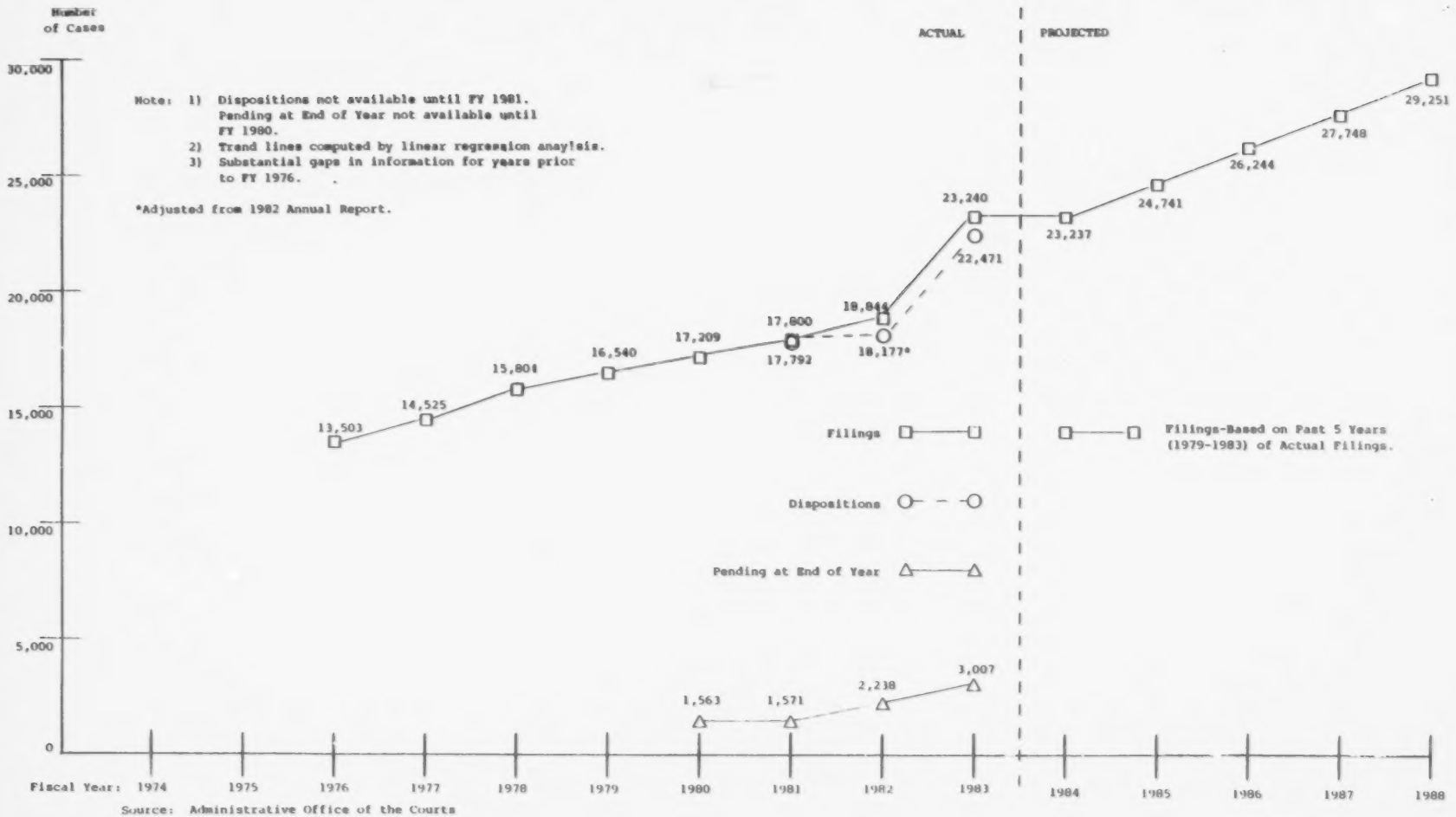
Rank		Total Number of Filings*	Percentage of Total	FY 1982 Rank
1	Newark	10,948	47.1%	1
2	Newport	3,641	15.7%	2
3	Bridgeville	1,966	8.5%	3
4	Bethany Beach	1,194	5.1%	4
5	Laurel	1,189	5.1%	5
6	Fenwick Island	1,139	4.9%	6
7	Rehoboth Beach	1,084	4.7%	7
8	Middletown	1,000	4.3%	8
9	Ocean View	416	1.8%	9
10	Harrington	281	1.2%	11
11	New Castle	262	1.1%	10
12	Delmar**	90	0.4%	-
13	Blades#	30	0.1%	12
14	Elsmere##	0	0.0%	-
	TOTALS	23,240	100.0%	

*The unit of count for criminal and traffic cases is the charge. For example, a defendant with 3 charges disposed of is counted as 3 dispositions.
**Court opened on 3/10/83.
#Court closed as of 4/9/83.
##The Elsmere Court only collects fines for traffic cases and does not actually try the case.

Source: Alderman's Courts

ALDERMAN'S COURTS

8-YEAR WORKLOAD TREND AND 5-YEAR WORKLOAD PROJECTIONS
TOTAL DEFENDANTS AND CIVIL CASES



Source: Administrative Office of the Courts

Violent Crimes Compensation Board

VIOLENT CRIMES COMPENSATION BOARD

Legal Authorization

The Violent Crimes Compensation Board is authorized by 11 Delaware Code, Chapter 90.

Purpose

It is the purpose of the Violent Crimes Compensation Board to "promote the public welfare by establishing a means of meeting the additional hardships imposed upon the innocent victims of certain crimes, and the family and dependents of those victims". Compensation to help meet the added burdens which sometimes face the innocent victims of certain crimes may be offered by the board for up to $10,000. The Board now receives a 15% penalty assessment which by law is added onto every fine, penalty, and forfeiture. These monies are deposited into the "Victims Compensation Fund" for use when needed.

Geographic Organization

The Board is responsible for handling requests for compensation throughout the State of Delaware. Hearings on these requests may be held anywhere in the State at the convenience of the victim, with the Administrative Office of the Violent Crimes Compensation Board located in Wilmington.

Personnel

The Violent Crimes Compensation Board consists of five members: a chairman, a vice-chairman, and three additional Board members. Each member is appointed by the Governor and must be approved by the Senate before serving on the Board. The term of each Board member is three years as long as no more than two Board members have their terms expire at the end of any given year. The Board must be composed of not more than three members of any single political party. The Board may appoint an Executive Secretary and other employees as needed up to a maximum of five at one time. The Board currently employs the Executive Secretary, an administrative assistant, two claim investigators, and a secretary.

Caseload Trend

Revenue receipts of over $615,400 for fiscal year 1983 were 43% above the revenue receipts of fiscal year 1982 and represented the most successful year of revenue receipts yet. This rise is due in large part to the fact that the 15% surcharge was in effect for all of FY 1983. The budget expenditures of roughly $423,600 are a combination of roughly $162,400 in administrative costs and about $261,200 in award payments. The Board has awarded over $1,822,300 through FY 1983 with actual award payments of just under $1,794,000. The difference is due to a difference of over $28,300 between the Board's award of over $289,500 in FY 1983 and its actual award payments of about $261,200.

VIOLENT CRIMES COMPENSATION BOARD

Suite 10
1500 East Newport Pike
Wilmington, Delaware 19804
(995-8383)

BOARD MEMBERS

Clifford B. Hearn, Jr., Chairman (D, 2/1/77)
Stephen L. Manista, Vice-Chairman (R, 1/20/85)
Leah W. Betts (D, 8/6/83)
Robert H. George (R, 8/6/83)
Edward S. Stansky (D, 6/30/84)

SUPPORT PERSONNEL

Executive Secretary
Oakley M. Banning, Jr.

Administrative Assistant
Ann L. DelNegro

Secretary
Barbara E. Weiss

Claim Investigators
Marcia A. Jenkins
Howard P. Wilson

Foster Care Review Board

Legal Authorization

The Foster Care Review Board is authorized by 31 Delaware Code, Chapter 38.

Purpose

The Board serves as an independent monitoring system responsible for identifying and periodically reviewing children placed in foster care. Reviews of individual children in placement are conducted to ensure that continuing efforts are being made to obtain permanent homes for these children. The Board must report annually to the Chief Justice of the Supreme Court, the General Assembly and the Governor upon the effectiveness of its activities and must submit recommendations regarding the policies and procedures of foster care placement agencies.

Geographic Organization

The Board is responsible for reviewing the placements of children throughout the State of Delaware and actual review sessions are conducted in various locations across the State. The Administrative Office of the Board is located in Wilmington.

Personnel

36 citizen volunteers presently compose the Foster Care Review Board. Members are appointed by the Governor and serve terms of not more than three years. Of the 36 Board members, not more than a simple majority may be members of either major political party. The Governor designates one member who serves at his pleasure as Chairman. The Board hires an Executive Director who may in turn employ additional support personnel.

Caseload Trend

At present, 50% of the children in foster care must be reviewed externally by the Board every six months. Only after a scheduled review is held and the Board is in disagreement with the agency's permanent placement plan for the foster child might the Board petition Family Court for a judicial hearing. During the program year that was completed on June 30, 1983, four hundred twenty-four reviews of individual foster children were scheduled. One hundred thirty-five of these reviews were cancelled, often because the child was in litigation or was involved in termination and adoption proceedings, while two hundred eighty-nine of the reviews were conducted.

The number of children exiting foster care increased as the average time spent in care, which was about five and a half years when the Board began in June, 1980, has decreased to around four years now. The median time of thirty-six months has been cut by more than half, which may be the better indication of the decrease in time spent in foster care by a child. The number of children entering foster care has also increased sharply over the past few years. Over the past few years, the rate of children entering foster care has

seemed to increase at about the same rate as the number leaving foster care has increased. This results in the number of children in care remaining somewhat stable (at just over 900 children), but the children themselves are moving in and out of foster care more frequently. This increased turnover indicates that the Board has responded to the greater demands being presented by the continually higher entrance rates.

FOSTER CARE REVIEW BOARD
7th Floor
Elbert N. Carvel Delaware State Building
820 North French Street
Wilmington, Delaware 19801
(571-6000)

BOARD MEMBERS

Shirley A. Cupery, Chairman (D)

Judith Bennett (D, 9/7/86)
Mary Bergstrom (I, 3/29/85)
Barbara Blair (R, 10/31/84)
Velva Bowers (D, 9/7/86)
Jane Bullen (R, 9/7/86)
Linda Burris (R, 10/31/84)
Veronica Cannon (I, 10/31/84)
Judith A. Carmean (R, 9/7/86)
Lillian F. Cobin (D, 10/31/84)
Marcella Copes (I, 10/31/86)
Ivy Davis (D, 10/31/84)
Gail Denney (R, 10/31/86)
Karen Doherty (R, 9/7/86)
Jane Erisman (R, 9/7/86)
Jamesie Evans (R, 11/1/86)
Geraldine M. Garvin (R, 9/7/85)
Louise H. Gilliam (R, 9/7/85)
Barbara B. Green (R, 10/31/85)
Barbara Herr (R, 9/7/86)
Elizabeth Holtzlander (I, 9/7/85)
Annie B. King (R, 10/31/86)
Carolyn Susan Kline (I, 9/7/85)
Sister Margaret Loveland (D, 9/7/86)
Bonita Maull (R, 10/31/86)
Nancy L. McKenna (D, 9/7/86)
Kathryn T. Montgomery (D, 10/31/85)
Elsie O'Brien (R, 9/7/85)
Richard Poole (D, 10/31/86)
Warren A. Rhodes (D, 10/31/85)
Carol Sharp (I, 9/7/86)
Matthew M. Shipp (D, 9/7/85)
Henry H. Stroud (I, 9/7/84)
Elizabeth von Frankenberg (R, 9/7/86)
Jane L. Willis (R, 10/31/84)
Vivian B. Young (D, 9/7/85)

SUPPORT PERSONNEL

Executive Director
Barbara A. Brown

Staff Assistant
Sara A. Hockstein

Secretary
Charlotte J. Harris

Staff Assistant (part-time)
Vacant

Conferences & Councils

COURT ON THE JUDICIARY

Article IV, Section 37 of the Constitution of the State of Delaware created this Court, consisting of the Chief Justice and the Associate Justices of the Supreme Court, the Chancellor of the Court of Chancery, and the President Judge of Superior Court.

Any judicial officer appointed by the Governor may be censured, removed, or retired by the Court on the Judiciary for willful misconduct in office, willful and persistent failure to perform duties, commission of an offense involving moral turpitude, other misconduct in violation of the Canons of Judicial Ethics, or permanent mental or physical disability interfering with the proper performance of these duties.

No censure, removal, or retirement can be effective until the judicial officer has been served with written charges and has had the opportunity to be heard in accordance with due process of law.

The Court on the Judiciary has the power to:
(a) summon witnesses to appear and testify under oath and to compel production of other evidence, and
(b) adopt rules establishing procedures for the investigation and trial of a judicial officer.

JUDICIAL CONFERENCE

Legal Authorization

The Judicial Conference is authorized by Supreme Court Rule 35.

Duties

The Judicial Conference studies the judicial business of the courts with a view towards improving the administration of justice in the State. The Conference also considers improvements in procedure, considers and recommends legislation, considers and implements the Canons of Judicial Ethics, and holds symposia of the Bench and Bar.

Membership

The membership of the Conference includes the Judges of the Supreme Court, Court of Chancery, Superior Court, Family Court, Court of Common Pleas, and the Municipal Court of Wilmington. The Chief Justice is presiding officer of the Conference. The Director of the Administrative Office of the Courts serves as secretary for the Conference. Scheduled meetings of the Conference are held on the first Wednesdays of December and June.

COUNCIL ON THE ADMINISTRATION OF JUSTICE

Legal Authorization

The Council on the Administration of Justice is authorized by 10 Delaware Code, Chapter 20.

Duties

The Council is charged with the continuous study of the administration of justice in the State, and of the organization, procedure, practice, rules, and methods of administration and operation of each and all the courts of the State, whether of record or not of record. The Council collects and uses statistical and other information concerning the work of the courts and makes recommendations to the Governor, the General Assembly, the courts and/or the bar.

Membership

There are 15 members including the Chief Justice, the Chancellor, the President Judge of Superior Court, the Speaker of the House, the President Pro Tem of the Senate, the Minority Leaders of the House and Senate, the Attorney General, the President of the Bar Association, the President of the University of Delaware, and five non-lawyers appointed by the Governor for a term coextensive with that of the appointing Governor. Current membership is as follows:

Hon. Daniel L. Herrmann, Chief Justice, Supreme Court
Hon. Grover C. Brown, Chancellor, Court of Chancery
Hon. Albert J. Stiftel, President Judge, Superior Court
Hon. Orlando J. George, Jr., Speaker of the House of Representatives
Hon. Richard S. Cordrey, President Pro Tempore of the Senate
Hon. Charles L. Hebner, Minority Leader, House of Representatives
Hon. Andrew G. Knox, Minority Leader, Senate
Hon. Charles M. Oberly, III, Attorney General
E. A. Trabant, President, University of Delaware
E. Norman Veasey, Esq., President, Delaware Bar Association
Douglas A. Van Sant, Public Member
Kenneth N. Meyer, Public Member
Pearl Daniels, Public Member
Robert D. Mitchell, Public Member
Henry Roy Smith, III, Public Member

Legislation

LEGISLATION

The following court-related legislation was enacted during 1983 by the Delaware General Assembly:

SENATE

Senate Bill 2
Sponsors, Senators McBride, Cook, Holloway, Marshall, Martin, McDowell, Sharp, Torbert, Vaughn, Arnold, Bair, Berndt, Citro, Connor, Knox, Littleton, and Neal; Representatives Anderson, Bennett, Brady, Bunting, Campanelli, Clendaniel, Cordrey, Dixon, B. Ennis, Gilligan, Holloway, Houghton, Jester, Jonkiert, Meconi, Outten, Plant, Terry, West, Van Sant, Buckworth, D. Ennis, Free, Hebner, Mack, Oberle, Petrilli, Roy and Spence.
Signed by the Governor 5/10/83.

This bill revises the Nursing Practice Act and provides that appeals from disciplinary decisions of the Board of Nursing may be taken to the Superior Court. Such appeals shall be on the record.

Senate Bill 19
Sponsors, Senators Cordrey and Bair; Representatives Maroney and Soles.
Signed by the Governor 4/21/83.

This bill allows the donation of bodily organs by a minor with parental or other person authorized by law consent.

Senate Bill 20
Sponsors, Senators Adams and Vaughn; Representatives Barnes and Clendaniel.
Signed by the Governor 5/24/83.

This bill makes theft of a firearm a felony regardless of its value.

Senate Bill 21
Sponsors, Senators Adams and Vaughn; Representatives Barnes and Clendaniel.
Signed by the Governor 5/24/83.

This bill makes receiving a stolen firearm a felony regardless of its value.

Senate Bill 24
Sponsors, Senators Adams, Vaughn, Arnold, Torbert, Citro, Cordrey, Minner, and Sharp; Representatives Clendaniel, Barnes, Spence, Oberle, Ennis, and Van Sant.
Signed by the Governor 7/6/83.

This bill provides certified police officers of the State with the authority to arrest for a felony committed in their presence anywhere in the State.

Senate Bill 29
Sponsors, Senators McDowell, Torbert, Connor, Bair, Marshall, and Citro; Representatives Barnes, Smith, Jonkiert and Soles.
Signed by the Governor 2/2/83.

This bill creates the Board of Cosmetology and Barbering and allows for the appeal of the Board's decision to the Superior Court.

Senate Bill 49
Sponsors, Senators Holloway, Zimmerman, Martin, Citro, Connor, and Bair; Representatives Bennett, Soles, and Maroney.
Signed by the Governor 6/9/83.

This bill repeals the Foster Child Review Act of 1980 and establishes a new act which broadens the responsibilities of the Board created for the purpose of Foster Care Reviews.

Senate Bill 99
Sponsors, Senators Torbert, Minner, Neal, Citro, McBride, Arnold, Bair, Connor, Knox, and Littleton; Representatives B. Ennis, Spence, Gilligan, Meconi, Soles, George, Oberle, Barnes, Boykin, Buckworth, D Ennis, Fallon, Free, Hebner, Maroney, Smith, Roy, Petrilli, Mack, Van Sant, Brady, and Anderson.
Signed by the Governor 2/18/83.

This bill amends the Delaware Code relating to the operation of motor vehicles, suspension and revocation of licenses for refusal to submit to a chemical test, and to driving under the influence of alcohol or other drugs.

Senate Bill 100
Sponsor, Senator Cordrey.
Signed by the Governor 7/18/83.

This bill permits the General Assembly as well as the Governor to request advisory opinions of the Supreme Court.

Senate Bill 112
Sponsor, Senator Minner
Signed by the Governor 5/20/83.

This bill specifically requires the Justice of the Peace Courts to turn over to the State Treasurer balances from authorized sales of motor vehicles when no owner can be found.

Senate Bill 132
Sponsor, Senator Vaughn.
Signed by the Governor 5/20/83.

This bill requires only one twenty-four hour Justice of the Peace Court for New Castle County.

Senate Bill 134
Sponsors, Senators Marshall and Citro; Representative Van Sant.
Signed by the Governor 3/16/83.

This bill provides severe penalties for trafficking in amphetamine and phencyclidine.

Senate Bill 147
Sponsors, Senators Adams and Berndt; Representatives Roy and Clendaniel.
Signed by the Governor 2/23/83.

This bill specifically includes new judges under the disability provisions of the Judicial Pension Plan enacted in 1980.

Senate Bill 154
Sponsors, Senators Connor, Citro, Vaughn, Littleton, Torbert, and Minner.
Signed by the Governor 3/24/83.

This bill establishes a voluntary program for the fingerprinting of children in kindergarten through the ninth grade.

Senate Bill 160
Sponsors, Senators Neal, Holloway, Arnold, Bair, Berndt, Connor, Knox, Littleton, Martin, McBride, Vaughn, and Zimmerman; Representatives Anderson, Barnes, Brady, Bunting, Campanelli, Clendaniel, Corrozi, Dixon, D. Ennis, Fallon, Free, Gilligan, Holloway, Jester, Mack, Maroney, Meconi, Oberle, Roy, Soles, Spence, and Van Sant.
Signed by the Governor 6/25/83.

This bill adds due-process procedures requires by PL 94-142 relating to the education of the handicapped children and provides that the Family Court shall hear appeals arising from decisions of the hearing panel appointed by the State Superintendent of Public Instruction.

Senate Bill 170
Sponsors, Senator Vaughn; Representative Ennis.
Signed by the Governor 7/13/83.

This bill provides for the distribution of moneys received as a result of the commission of a crime to victims of crime.

Senate Bill 220
Sponsors, Senators McBride and Berndt; Representatives Van Sant and Barnes.
Signed by the Governor 7/19/83.

This bill amends the Delaware Code relating to a patient's right to terminate treatment.

Senate Bill 234
Sponsors, Senators Adams, Minner, and Cordrey; Representatives Barnes, Fallon, Bunting, Cordrey, Clendaniel, and West.
Signed by the Governor 7/26/83.

This bill provides for an additional Family Court Judge for Sussex County.

Senate Bill 248
Sponsors, Senators Holloway, Knox, and Bair; Representatives Van Sant and Plant.
Signed by the Governor 7/11/83.

This bill amends the Delaware Code relating to civil enforcement of the duty to pay support.

Senate Bill 249
Sponsors, Senators Sharp, Citro, McDowell, Zimmerman, Vaughn, and Minner; Representatives Oberle, Spence, Plant, and Jonkiert.
Effective 6/30/83.

This is the second leg of a constitutional amendment which permits the Delaware Supreme Court to accept certified questions of law from the Federal District Court.

Senate Bill 269
Sponsors, Senator Adams; Representative Barnes.
Effective 6/28/83.

This is the second leg of a constitutional amendment which provides for a limited period during which an incumbent constitutional judge holds over in office until he or a new appointee takes the oath for the next term. It also provides that the term of a judge or a justice shall begin upon taking the oath which must be within thirty days of confirmation.

Senate Bill 296
Sponsors, Senator Minner; Representative Barnes.
Signed by the Governor 6/16/83.

This bill establishes a procedure for the Town of Houston to enforce and collect delinquent taxes, fees, and charges by court action.

Senate Bill 311
Sponsors, Senators Cook, Adams, Berndt, and Zimmerman; Representatives Corrozi, George, Meconi, Soles, and Wingate.
Signed by the Governor 7/19/83.

This bill shifts the responsibility from the Counties to the State to pay legal fees and expenses incurred by court-appointed attorneys.

Senate Bill 321
Sponsor, Senator Cordrey.
Signed by the Governor 7/12/83.

This bill permits Sussex County Council to establish fees for the Sheriff, Prothonotary, Register in Chancery, and Clerk of the Peace of Sussex County.

HOUSE OF REPRESENTATIVES

House Bill 50
Sponsors, Representatives Bennett, George, Gilligan, Clendaniel, Hebner, and Oberle; Senators Cook, Cordrey, McDowell, Knox, and Arnold.
Signed by the Governor 2/2/83.

This bill allows the Governor to reduce FY 1983 appropriations to the Judiciary and to public and higher education for the purpose of balancing the FY 1983 budget or reducing a deficit in FY 1983.

House Bill 82
Sponsors, Representatives Spence, Dixon, Oberle, Buckworth, Free, D. Ennis, Roy, Campanelli, Petrilli, Maroney, Hebner, Smith, Boykin, Corrozi, Fallon, Houghton, Van Sant, and Cordrey; Senators Connor, Vaughn, and Littleton.
Signed by the Governor 7/20/83.

This bill changes the age for consumption of alcoholic beverages from 20 years of age to 21 years of age.

House Bill 83
Sponsors, Representatives Meconi, Soles, Anderson, Bunting, D. Ennis, George, Gilligan, Hebner, and Van Sant; Senators Torbert, Bair, McBride, McDowell, Minner, and Neal.
Signed by the Governor 7/8/83.

This bill provides for disclosure of financial interests and obligations of certain public officers of the state including judges and other specified officials of the Judicial Branch.

House Bill 94
Sponsor, Representative Bennett.
Passed 6/29/83.

This is the first leg of a constitutional amendment to permit the Sheriffs of Kent and Sussex Counties to run for four year terms and the right to succeed himself for one additional term.

House Bill 105
Sponsor, Representative Gilligan.
Signed by the Governor 6/14/83.

This bill amends the general long arm statute to make it clear that it is available to all persons even if they are not residents of the State of Delaware.

House Bill 111
Sponsors, Representatives Petrilli and Meconi; Senator Arnold.
Signed by the Governor 7/13/83.

This bill in part allows the Public Service Commission to seek injunctive relief in the Court of Chancery to prevent any abandonment or discontinuance by a public utility of operations or services provided.

House Bill 118
Sponsors, Representative Fallon; Senator Littleton.
Signed by the Governor 6/23/83.

This bill amends the Charter of the City of Seaford to allow any person or persons to appeal the decision of the City Council to the Superior Court.

House Bill 154
Sponsors, Representative Wingate; Senator Cordrey.
Signed by the Governor 6/29/83.

This bill establishes a new charter for the City of Rehoboth Beach and, in part, requires persons sentenced to imprisonment by an Alderman, Assistant Alderman, or Justice of the Peace to the Department of Correction.

House Bill 177
Sponsors, Representatives Wingate, Bunting, Meconi, Roy, Soles, and Smith; Senator Minner.
Signed by the Governor 7/6/83.

This bill permits summary proceedings in Justice of the Peace Courts for possession of leased mobile homes and mobile home lots.

House Bill 185
Sponsors, Representatives Terry, Plant, Houghton, Davis, Barnes, and B. Ennis; Senators Vaughn and Citro.
Signed by the Governor 7/8/83.

This bill amends the Delaware Securities Act and the Delaware General Corporation Law.

House Bill 186
Sponsors, Representatives Plant, Terry, Houghton, B. Ennis, Barnes, and Davis; Senators Vaughn and Citro.
Signed by the Governor 7/13/83.

This bill amends the Delaware Code relating to Commerce and Trade and the Uniform Commercial Code of Delaware.

House Bill 207
Sponsors, Representatives Van Sant, Gilligan, Houghton, Dixon, Maroney, and Barnes; Senators Holloway Sr., Marshall and Citro.
Signed by the Governor 6/1/83.

This bill amends the Delaware Code relating to podiatry and provides, in part, that persons in disagreement with actions taken by the Board of Podiatry may appeal the Board's decision to the Superior Court.

House Bill 215
Sponsors, Representatives Brady, Campanelli, Gilligan, Mack, Meconi, and Roy; Senator McBride.
Signed by the Governor 6/23/83.

This bill removes the 1933 Delaware Automobile Guest Statute and thereby restores a right to recovery to non-paying passengers injured due to the negligence of the owner or operator of a motor vehicle.

House Bill 226
Sponsors, Representatives Maroney, Soles, Anderson, Fallon, Free, Roy, and Smith; Senators Neal, Holloway, McBride, McDowell, and Minner.
Signed by the Governor 7/13/83.

This bill clarifies that the widowers of State Judges are entitled to the same pension benefits as widows.

House Bill 227
Sponsors, Representatives Maroney, Soles, Anderson, Fallon, Free, Roy, and Smith; Senators Neal, Holloway, McDowell, McBride, and Minner.
Signed by the Governor 7/19/83.

This bill provides that the guarianship of the person of a male would end on his marriage as is now the case with a female.

House Bill 251
Sponsors, Representatives Terry and Plant.
Signed by the Governor 6/1/83.

This bill provides for improvements in the jury selection process.

House Bill 253
Sponsors, Representatives Terry and Plant.
Signed by the Governor 7/19/83.

This bill prohibits employers from coercing employees to forego jury service or from causing them to suffer loss of employment.

House Bill 276
Sponsors, Representatives Maroney. Davis, Hebner, Corrozi, Fallon, Boykin, Spence, Roy, Smith, Quillen, Plant, Soles, Van Sant, Jonkiert, Meconi, and Anderson; Senators Zimmerman, Berndt, and Holloway, Sr.
Signed by the Governor 6/8/83.

This bill assures full legal equality for all children in their legal relationship with their parents and establishes procedures and criteria for determining when a parent-child relationship exists.

House Bill 291
Sponsors, Representatives Buckworth, Dixon, Petrilli, and Bennett; Senator Berndt.
Signed by the Governor 7/11/83.

This bill classifies the issuing of bad checks of $300 or more as a Class E felony.

House Bill 348
Sponsors, Representatives Plant, George, Terry, Outten, Bennett, Spence, and Barnes; Senators Adams, Martin, Holloway, Zimmerman, Vaughn, Minner, Cook, Citro, and Knox.
Signed by the Governor 6/23/83.

This bill increases the number of judges in the Court of Chancery from three to four effective January 1, 1984.

House Bill 384
Sponsors, Representatives Bennett, Corrozi, Meconi, Petrilli, Soles, and Wingate; Senators Cook, Holloway, McBride, Neal, and Vaughn.
Signed by the Governor 7/11/83.

This Omnibus Bill amends the Budget Appropriation Bill for FY 1984 and, in part, increases the appropriation to the Judiciary.